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THE ACTS
OF
THE PARLIAMENT
OF
WESTERN AUSTRALIA,

PASSED IN THE SIXTY-FOURTH YEAR OF THE REIGN
OF HER MAJESTY QUEEN VICTORIA,

DURING THE
SIXTH SESSION OF THE THIRD PARLIAMENT OF WESTERN AUSTRALIA.

(15th August to 5th December, 1900.)

With an Appendix containing the Imperial Act 63 & 64 Vict., Ch. 12, "The Commonwealth of Australia Constitution Act."

PERTH:
BY AUTHORITY: RICHARD PETHER, GOVERNMENT PRINTER.

—
1901.

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SCHEDULE.

Titles of the Acts of the Parliament of Western Australia, passed in the Sixth Session of the Third Parliament, held in the Year 1900, during the Administration of His Excellency Sir Alexander Campbell Onslow, Knight, Administrator, etc., etc., etc.

64° VICTORIÆ.

No.

1. "*An Act to apply out of the Consolidated Revenue Fund and from Moneys to credit of the General Loan Fund the sum of Five Hundred Thousand Pounds to the Service of the year ending 30th June, 1901.*"
2. "*An Act to correct certain errors in the Constitution Acts Amendment Act, 1899.*"
3. "*An Act to repeal Duties on Live Stock and Frozen Meat.*"
4. "*An Act to apply a sum out of the Consolidated Revenue Fund and from Moneys to Credit of the General Loan Fund to the Services of the Year ending the last day of June, One thousand nine hundred and one, and to appropriate the Supplies granted in this and the previous Session of Parliament.*"
5. "*An Act relating to the Members of the Federal Parliament of the Commonwealth of Australia.*"
6. "*An Act for determining the Divisions in Western Australia for which Members of the Federal House of Representatives shall be chosen, and the number of Members for each Division.*"
7. "*An Act to amend 'The Game Act, 1892.'*"
8. "*An Act to consolidate and amend the Law relating to Municipalities.*"
9. "*An Act to amend 'The Truck Act, 1899.'*"
10. "*An Act to amend 'The Post Office Savings Bank Consolidation Act, 1893.'*"
11. "*An Act for the Extirpation of Noxious Weeds.*"
12. "*An Act to facilitate the investment in Western Australian Government Securities of Trust and other Funds in the United Kingdom.*"
13. "*An Act to authorise the raising of a sum of Seven Hundred and Ninety Thousand Pounds by Loan for the construction of certain Public Works, and other purposes.*"
14. "*An Act to impose certain Customs Duties subject to the provisions of the Commonwealth of Australia Constitution Act.*"
15. "*An Act to further amend 'The Land Act, 1898.'*"
16. "*An Act to amend and consolidate the Laws relating to Distillation.*"
17. "*An Act to consolidate and amend the Law relating to Trustees.*"
18. "*An Act to amend the Law relating to the export of Arms, Military and Naval Stores, and Munitions of War.*"
19. "*An Act amending the Law relating to Conspiracy and Protection of Property.*"
20. "*An Act to facilitate the Settlement of Industrial Disputes by Conciliation and Arbitration.*"

SCHEDULE—*continued.*

No.

21. "*An Act relating to the Public Service.*"
22. "*An Act to provide for the Drainage of Land.*"
23. "*An Act to amend 'The Goldfields Act, 1895,' and the Acts passed in 1896 and 1898 amending the same.*"
24. "*An Act to amend 'The Railways Amendment Act, 1881.'*"
25. "*An Act to amend 'The Health Act, 1898.'*"
26. "*An Act for requiring the Proprietors of Railways to carry Mails.*"
27. "*An Act to amend the Act of the Sixth year of Her Majesty, numbered fifteen, as to Interest on Judgments.*"
28. "*An Act to amend the Law relating to Bills of Sale, Liens, and Bailments.*"
29. "*An Act to amend 'The Criminal Law Amendment Act of 1892.'*"
30. "*An Act to amend 'The Lands Resumption Act, 1894.'*"
31. "*An Act to amend 'The Registration of Births, Deaths, and Marriages Act, 1894.'*"
32. "*An Act to provide for the payment of Members of Parliament.*"
33. "*An Act to allow Kangaroos to be taken for Food during a Close Season and on Native Game Reserves.*"
34. "*An Act to repeal the twenty-third section of 'The Post and Telegraph Act, 1893.'*"
35. "*An Act to authorise the Re-appropriation of certain Loan Moneys borrowed by the Council of the Municipality of Kalgoorlie.*"
36. "*An Act to amend the Law relating to the Slander of Women.*"
37. "*An Act to amend the Imperial Act 9th and 10th Victoria, Chapter 93 (adopted in Western Australia by the Act 12th Victoria, No. 21), for compensating the Families of Persons killed by Accident.*"
38. "*An Act to enable the Fire Brigades Board to issue Debentures.*"
39. "*An Act to amend 'The Patent Act, 1888,' and 'The Patent Act (Amendment), 1892.'*" [RESERVED].
40. "*An Act to repeal an Act of the Sixty-second year of Her Majesty, and numbered eighteen, intituled 'An Act to vest certain land at Coolgardie in the Municipality of Coolgardie, for a Mining Exhibition and other purposes.'*"
41. "*An Act to authorise the construction of a Loop Line of Railway from the Hannan's Street Station, Kalgoorlie-Gnumballa Lake Railway, to the Kamballie Station, on the same Railway.*"
42. "*An Act to confirm a Provisional Order authorising the Construction of Tramways in the Municipality of Leederville.*"
43. "*An Act to confirm a Provisional Order authorising the Construction of Tramways in the Municipality of Kalgoorlie.*"
44. "*An Act to confirm a Provisional Order authorising the Construction of Tramways in the Town of Fremantle.*"
45. "*An Act to confirm a Provisional Order authorising the Construction of Tramways in the District of the Road Board of Kalgoorlie.*"
46. "*An Act to authorise the Closing of Portions of certain Streets and Thoroughfares in the Municipality of Victoria Park, and the vesting thereof in Her Majesty the Queen.*"
47. "*An Act for the closing of certain Roads and Streets.*"
48. "*An Act for the closing of Water Street, North Fremantle.*"
49. "*An Act to validate Two Rates made by the Boulder Local Board of Health for the years One thousand eight hundred and ninety-nine and One thousand nine hundred respectively.*"

CONTINUATION OF TABLE OF LEGISLATION TO END OF 1900.

Showing the Enactments of the Sessions of that Year, with Notes and References to former Ordinances and Acts.

Year.	Number.	Subject.	Notes and References.	Vol.	Page
1900	63 Vict., No. 55.	Provision for acceptance of Federal Constitution.			
	63 Vict., No. 56.	Supply.			
	64 Vict., No. 1.	Supply.			
	64 Vict., No. 2.	To amend errors in Constitution Act, 1899.	Amends Schedule 2 of 63 Vict., No. 19.		
	64 Vict., No. 3.	To repeal Duties on Live Stock and Frozen Meat.	Amends Schedule 2 of 62 Vict., No. 5.		
	64 Vict., No. 4.	Supply.			
	64 Vict., No. 5.	Members of Federal Parliament.			
	64 Vict., No. 6.	Divisions in W.A. for Federal House of Representatives.			
	64 Vict., No. 7.	Game Act, 1892, Amendment.	Amends section 7 of 55 Vict., No. 36.		
	64 Vict., No. 8.	Municipalities.	Repeals 34 Vict., No. 6; 40 Vict., No. 13; 42 Vict., No. 16; 44 Vict., No. 11; 45 Vict., No. 12; 46 Vict., No. 19; 47 Vict., No. 19; 49 Vict., No. 14; 49 Vict., No. 17; 51 Vict., No. 29; 55 Vict., No. 16; 59 Vict., No. 10; 60 Vict., No. 11; [62 Vict., No. 26, and sections 1, 2, 3, and 4 of 63 Vict., No. 5, by implication.]		
	64 Vict., No. 9.	Truck Act Amendment.	Amends section 19 of 63 Vict., No. 15.		
	64 Vict., No. 10.	Post Office Savings Bank Consolidation.	Amends section 2 and section 8 (2) of 57 Vict., No. 3.		
	64 Vict., No. 11.	Extirpation of Noxious Weeds.	Repeals 38 Vict., No. 12.		
	64 Vict., No. 12.	Investment of Trust Funds.			

Year.	Number.	Subject.	Notes and References.	Vol.	Page
1900	64 Vict., No. 13.	Loan for Public Works.			
	64 Vict., No. 14.	Customs Duties subject to Commonwealth Constitution Act.	Subject to section 95 of 63 and 64 Vict., cap. 29 (Imperial)		
	64 Vict., No. 15.	Land Act, 1898, Amendment.	Amends sections 17, 66, 69, 102, 130, 134, 146, 148, and 152 of 62 Vict., No. 37.		
	64 Vict., No. 16.	Distillation, Amendment and Consolidation.	<i>Repeals</i> 35 Vict., No. 6; 39 Vict., No. 3; 45 Vict., No. 9; 57 Vict., No. 28.		
	64 Vict., No. 17.	Trustees, Amendment and Consolidation.	<i>Repeals</i> 22 and 23 Vict., cap. 35; sections 26, 30, 31, and 32; 23 and 24 Vict., cap. 38, except sections 6, 7, and 8; 23 and 24 Vict., cap. 145, sections 8 and 9; 53 Vict., No. 14, and 59 Vict., No. 28.		
	64 Vict., No. 18.	Exportation of Arms.	Incorporated with 35 Vict., No. 9.		
	64 Vict., No. 19.	Conspiracy and Protection of Property.			
	64 Vict., No. 20.	Settlement of Industrial Disputes.			
	64 Vict., No. 21.	Public Service.			
	64 Vict., No. 22.	Drainage of Land.			
	64 Vict., No. 23.	Goldfields Acts Amendment.	Amends 59 Vict., No. 40, sections 7, 13, 15, 16, 18, 19, 23, 30, 38, 41, 42, 45, 46, 53, 62, 81, 90; 60 Vict., No. 36, section 6; 62 Vict., No. 16, sections 9, 10, 13, 14, and 19; <i>repeals</i> 62 Vict., No. 16, sections 12 (2) and 20.		
	64 Vict., No. 24.	Railways Act Amendment.	<i>Repeals</i> 44 Vict., No. 17, sections 4 and 5.		
	64 Vict., No. 25.	Health Act Amendment.	Amends 62 Vict., No. 24, sections 3, 12, 17, 32, 33, 38, 145, 146, 153, 173, 180, 188, 233, 238, and 242.		
	64 Vict., No. 26.	Carriage of Mails.			
	64 Vict., No. 27.	Interest on Judgments.	Amends 6 Vict., No. 15, section 5.		
	64 Vict., No. 28.	Bills of Sale.	Amends 63 Vict., No. 45, section 54.		
	64 Vict., No. 29.	Criminal Law Amendment.	Amends 55 Vict., No. 24, sections 4, 6, 8, 13, 15.		

Year.	Number.	Subject.	Notes and References.	Vol.	Page
1900	64 Vict., No. 30.	Lands Resumption Amendment.	Amends 58 Vict., No. 33, section 2.		
	64 Vict., No. 31.	Registration of Births, Marriages, and Deaths Amendment	Amends 58 Vict., No. 16, section 46, and <i>repeals</i> section 30 of same.		
	64 Vict., No. 32.	Payment of Members.			
	64 Vict., No. 33.	Kangaroos for Food.			
	64 Vict., No. 34.	Post and Telegraph Act, 1893, Amendment.	<i>Repeals</i> 57 Vict., No. 5, sec. 23.		
	64 Vict., No. 35.	Kalgoorlie, Re-appropriation.			
	64 Vict., No. 36.	Slander of Women.			
	64 Vict., No. 37.	Compensation for Accidents.	Incorporated with 9 and 10 Vict., cap. 93. (Imperial).		
	64 Vict., No. 38.	Fire Brigades Board Debentures.			
	64 Vict., No. 39.	Patents Act Amendment (Reserved).	Amends 36 Vict., No. 1; 52 Vict., No. 5, section 49; and 55 Vict., No. 15, section 2.		
	64 Vict., No. 40.	Coolgardie Mining Exhibition, Repeal.	<i>Repeals</i> 62 Vict., No. 18.		
	64 Vict., No. 41.	Kalgoorlie-Gnumballa Railway.			
	64 Vict., No. 42.	Tramway, Leederville.			
	64 Vict., No. 43.	Tramway, Kalgoorlie.			
	64 Vict., No. 44.	Tramway, Fremantle.			
	64 Vict., No. 45.	Tramway, Kalgoorlie Roads Board District.			
	64 Vict., No. 46.	Closing of Streets, Victoria Park			
	64 Vict., No. 47.	Closing of Streets.			
	64 Vict., No. 48.	Closing of Streets, Fremantle, North			
	64 Vict., No. 49.	Validation of Rates Boulder Local Board of Health.			

The following additions may now be made in Column 4 of the Chronological Table of Legislation. It is assumed that the Table has been already posted up to show the alterations caused by the Legislation of 63 Victoria to Act 54,—see the 1899 Volume:—

Number.	Notes and References.
9 & 10 Vict., Chap. 93, adopted by 12 Vict., No. 21 ;	amended by 64 Vict., No. 37.
22 & 23 Vict., Chap. 35, adopted by 31 Vict., No. 8 ;	Sections 26, 30, 31, and 32 <i>repealed</i> by 64 Vict., No. 17.
23 & 24 Vict., Chap. 38, adopted by 31 Vict., No. 8 ;	the whole, except Secs. 6, 7, and 8, <i>repealed</i> by 64 Vict., No. 17.
23 & 24 Vict., Chap. 145, adopted by 31 Vict., No. 8 ;	Sections 8 and 9 <i>repealed</i> by 64 Vict., No. 17.
6 Vict., No. 15 ;	Section 5 amended by 64 Vict., No. 27.
34 Vict., No. 6 ;	<i>repealed</i> by 64 Vict., No. 8.
35 Vict., No. 6 ;	<i>repealed</i> by 64 Vict., No. 16.
36 Vict., No. 1 ;	amended by 64 Vict., No. 39.
38 Vict., No. 12 ;	<i>repealed</i> by 64 Vict., No. 11.
39 Vict., No. 3 ;	<i>repealed</i> by 64 Vict., No. 16.
40 Vict., No. 13 ;	<i>repealed</i> by 64 Vict., No. 8.
42 Vict., No. 16 ;	<i>repealed</i> by 64 Vict., No. 8.
44 Vict., No. 11 ;	<i>repealed</i> by 64 Vict., No. 8.
44 Vict., No. 17 ;	Sections 4 and 5 <i>repealed</i> by 64 Vict., No. 24.
45 Vict., No. 9 ;	<i>repealed</i> by 64 Vict., No. 16.
45 Vict., No. 12 ;	<i>repealed</i> by 64 Vict., No. 8.
46 Vict., No. 19 ;	<i>repealed</i> by 64 Vict., No. 8.
47 Vict., No. 19 ;	<i>repealed</i> by 64 Vict., No. 8.
49 Vict., No. 14 ;	<i>repealed</i> by 64 Vict., No. 8.
49 Vict., No. 17 ;	<i>repealed</i> by 64 Vict., No. 8.
51 Vict., No. 29 ;	<i>repealed</i> by 64 Vict., No. 8.
52 Vict., No. 5 ;	Section 49 amended by 64 Vict., No. 39.
53 Vict., No. 14 ;	<i>repealed</i> by 64 Vict., No. 17.
55 Vict., No. 15 ;	Section 2 amended by 64 Vict., No. 39.
55 Vict., No. 16 ;	<i>repealed</i> by 64 Vict., No. 8.
55 Vict., No. 24 ;	Sections 4, 6, 8, 13, and 15 amended by 64 Vict., No. 29.
55 Vict., No. 36 ;	Section 7 amended by 64 Vict., No. 7.
57 Vict., No. 3 ;	Sections 2 and 8 (2) amended by 64 Vict., No. 10.
57 Vict., No. 5 ;	Section 23 <i>repealed</i> by 64 Vict., No. 34.
57 Vict., No. 28 ;	<i>repealed</i> by 64 Vict., No. 16.

CHRONOLOGICAL TABLE—*continued.*

Number.	Notes and References.
58 Vict., No. 16	; Section 30 <i>repealed</i> , and Section 46 amended by 64 Vict., No. 31.
58 Vict., No. 33	; Section 2 amended by 64 Vict., No. 30.
59 Vict., No. 10	; <i>repealed</i> by 64 Vict., No. 8.
59 Vict., No. 28	; <i>repealed</i> by 64 Vict., No. 17.
59 Vict., No. 40	; Sections 7, 13, 15, 16, 18, 19, 23, 30, 38, 41, 42, 45, 46, 53, 62, 81, and 90 amended by 64 Vict., No. 23.
60 Vict., No. 11	; <i>repealed</i> by 64 Vict., No. 8.
60 Vict., No. 36	; Section 6 amended by 64 Vict., No. 23.
62 Vict., No. 5	; Schedule II. amended by 64 Vict., No. 3.
62 Vict., No. 16	; Sections 9, 10, 13, 14, and 19 amended, and Sections 12 (2) and 20 <i>repealed</i> by 64 Vict., No. 23.
62 Vict., No. 18	; <i>repealed</i> by 64 Vict., No. 40.
62 Vict., No. 24	; Sections 3, 12, 17, 32, 33, 38, 145, 146, 153, 173, 180, 188, 233, 238, and 242 amended by 64 Vict., No. 25.
62 Vict., No. 26	; <i>repealed</i> by 64 Vict., No. 8 (<i>by implication</i>).
62 Vict., No. 37	; Sections 17, 66, 69, 102, 130, 134, 146, 148, 152 amended by 64 Vict., No. 15.
63 Vict., No. 5	; Sections 1, 2, 3, and 4 <i>repealed</i> by 64 Vict., No. 8 (<i>by implication</i>).
63 Vict., No. 15	; Section 19 amended by 64 Vict., No. 9.
63 Vict., No. 19	; Schedule II. amended by 64 Vict., No. 2.
63 Vict., No. 45	; Section 54 amended by 64 Vict., No. 28.

A C T S

OF THE

SECOND SESSION OF 1900,

64° VICTORIÆ.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

.....

No. I.

AN ACT to apply out of the Consolidated Revenue Fund and from Moneys to Credit of the General Loan Fund the sum of Five Hundred Thousand Pounds to the Service of the Year ending 30th June, 1901.

[Assented to, 25th September, 1900.]

MOST GRACIOUS SOVEREIGN,—

WE, Your Majesty's Most Dutiful and Loyal Subjects, the Members of the Legislative Assembly of Western Australia, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sum hereinafter mentioned; and do, therefore, most humbly beseech Your Majesty that it may be enacted: And be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent

Preamble.

Consolidated Revenue—Application.

consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Issue and application
of £500,000.

1. THERE shall and may be issued and applied, for or towards making good the supply granted to Her Majesty for the Service of the year from 1st July, 1900, to 30th June, 1901, the sum of Four Hundred Thousand Pounds out of the Consolidated Revenue Fund, and One Hundred Thousand Pounds from moneys to credit of the General Loan Fund; and the Treasurer of Western Australia is hereby authorised and empowered to issue and apply the moneys authorised to be issued and applied.

Sum available for
purposes voted by
the Legislative
Assembly.

2. THE said sums shall be available to satisfy the Warrants under the hand of the Governor, under the provisions of the law now in force in respect of any Services voted by the Legislative Assembly during the financial year ending 30th June, 1901.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

. No. II.

AN ACT to correct certain errors in the Constitution Acts Amendment Act, 1899.

[Assented to, 25th September, 1900.]

WHEREAS by inadvertence the amendments consequent upon the alteration of the boundaries of the South-West Mining Electoral District were omitted to be made in the Second Schedule to the Constitution Acts Amendment Act, 1899, while passing through the Parliament, and errors were made in the description of the boundaries of the Menzies and Roebourne Electoral Districts in the said Schedule, and it is expedient to correct such errors: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THE Second Schedule to the Constitution Acts Amendment Act, 1899, is amended by striking out the descriptions therein of the boundaries of the Bunbury Electoral District, the Menzies Electoral District, the Nelson Electoral District, the Roebourne Electoral District

Amendment of
Schedule II. of 63
Vict., 19.

Constitution Acts Amendment Act, 1899—Correcting boundaries in.

District, the Sussex Electoral District, and the Wellington Electoral District, and by inserting in lieu thereof the boundaries of the said Electoral Districts as described in the Schedule to this Act.

Amendments to be
followed in future
prints of the said
Act.

2. ALL copies of the said Act printed by the Government Printer after the passing of this Act shall be printed as amended by this Act.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Constitution Acts Amendment Act, 1899—Correcting boundaries in.

SCHEDULE.

BUNBURY ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast. On the *South* by an East line from the Sea-coast to the centre of the Capel River, passing along the South boundary of Sussex Location 82; then by the said centre of river upwards to Wellington Location 171 inclusive; then due East from the South-West corner of Wellington Location 171 aforesaid to a point due South from the South-East corner of Wellington Location 40. On the *East* by a North line to the Preston River; on the *North* by the said Preston River downwards to its entrance into Leschenault Inlet, and by said Inlet to the Sea. And on the inner part by and exclusive of that portion of Part 1 of the South-West Mining Electoral District within these boundaries.

MENZIES ELECTORAL DISTRICT.

Bounded by lines starting from Survey Mark $\frac{R}{3}$, near Cane Grass Swamp, and extending $267^{\circ} 20'$ about 20 miles 22 chains to a cairn marked NB 1 near Wangine Soak; thence West about 50 miles; thence West-North-West to a point situate North from a point 10 miles West of a cairn on Yorkrakine Granite Rock, and due East from Trigonometrical Station K 83; thence North to a point due West of a tree marked B 82, at Brickey's Soak; thence East to the East boundary of the Colony; thence South to a point due East from Survey Mark $\frac{R}{3}$; and then West to the starting point.

NELSON ELECTORAL DISTRICT.

Bounded on the *Northward* by lines starting from a point West of the South-West corner of Reserve 6321, and in line between the South-West corner of Wellington Location 171 and the junction of Padbury's Brook with the Blackwood River, and extending East to said South-West corner of Reserve 6321; thence North to the Western boundary of the Boyanup-Bridgetown Railway Reserve; thence North-Westerly along the Western boundary of said Railway Reserve to a point situate East from the South-West corner of Wellington Location 171 aforesaid; thence East to a point South from the South-East corner of Wellington Location 40; thence North, passing along the Eastern boundary of said Location 40 to the old road from Bunbury to Kojonup, known as the "Old Post Road," and thence by the said road Easterly to the junction of the Balgarup and Blackwood Rivers. On the *Eastward* by a line from the said junction South-South-Easterly to the junction of the Towerlup Creek and Frankland River, and thence by the said Frankland River downwards to the sea. On the *Westward* by a South-Easterly line from the West end of the North boundary to the aforesaid junction of Padbury's Brook with the Blackwood River, and onwards to the South-West corner of Nelson Location 31 at Manjimup; thence in a Southerly direction to a spot known as Bullamurup; thence by the Bullamurup Creek downwards to its junction with the Warren River, and thence by a line South-South-Westerly to Point D'Entrecasteaux on the Sea-coast. On the *Southward* by the Sea-coast, including the islands adjacent. And on the inner part by and exclusive of Part 2 of the South-West Mining Electoral District.

ROEBOURNE

Constitution Acts Amendment Act, 1899—Correcting boundaries in.

ROEBOURNE ELECTORAL DISTRICT.

Bounded on the *Northward* by the Sea-coast, including the islands adjacent. On the *Southward* by lines starting from the Sea-coast at a point situate North-West from the trigonometrical station on Peedamullah Hill, and extending South-East to said trigonometrical station, and thence East-South-Easterly through the trigonometrical stations on Mount Darnell and Mount Rica to Trigonometrical Station Y13; and on the *Eastward* by lines starting from Y13 and extending Northerly through the trigonometrical stations on Mount Pyrton, and Mount Rughthofen to that on Red Hill, and thence North to the Sea-coast.

SUSSEX ELECTORAL DISTRICT.

Bounded on the *Northward* and *Eastward* by the shore of Geographe Bay; thence by lines extending East from the shore of the said Bay to the centre of the Capel River, passing along the South boundary of Sussex Location 82; thence along the centre of the river aforesaid upwards to the North-West corner of Wellington Location 171; thence South to its South-West corner; thence East to a point South from the North-West corner of Wellington Location 836; thence South to a point situate West from the South-West corner of Reserve 6321; thence East to a point in line between the South-West corner of said Location 171 and the junction of Padbury's Brook with the Blackwood River; thence South-Easterly to the said junction, and onwards to the South-West corner of Nelson Location 31 at Manjimup; thence in a Southerly direction to a spot known as Bullamurrup; thence by the Bullamurrup Creek downwards to its junction with the Warren River; and thence by a line South-South-Westerly to Point D'Entrecasteaux on the Sea-coast; and on the *Southward* and *Westward* by the Sea-coast, including the islands adjacent.

WELLINGTON ELECTORAL DISTRICT.

Bounded on the *West* by the Sea-coast. On the *North* by an East line from the said coast passing through the summit of Mount William to the Murray River, then by that river upwards to the junction of the Hotham and Williams Rivers. On the *Eastward* by a South-South-Easterly line from the junction of the Hotham and Williams Rivers aforesaid to the junction of the Blackwood and Balgarup Rivers. On the *South* by a West-North-Westerly line along the old road from Kojonup to Bunbury, known as the "Old Post Road," to a point on the said road due North from the North-East corner of Wellington Location 40; thence due South passing along the East boundary of Wellington Location 40 aforesaid to the Preston River; thence by the said Preston River downwards to a point situate North from the North-East corner of Reserve 645A; thence North three miles; thence West to the Preston River aforesaid; thence along the said River downwards to its entrance into Leschenault Inlet, and by the said Inlet to the sea. And on the inner part by and exclusive of Part 3 of the South-West Mining Electoral District.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

11

1900, Page 7. 64 Vict., No. 3.—*Repealed* by No. 34 of 1911.

Frozen Meat.

[*Assented to, 5th October, 1900.*]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. ON and after the coming into operation of this Act, all duties of customs imposed upon cattle (including bullocks, steers, cows, and calves), pigs and sheep (including wethers, ewes, and lambs), and upon frozen and chilled meat other than pork, are hereby repealed.

Repeal.

2. EVERY person exhibiting for sale imported frozen or chilled meat shall affix thereto a label stating distinctly and legibly, in printed or written characters, that such meat is imported frozen meat or imported chilled meat, as the case may be.

Persons selling chilled or frozen meat to label the same.

3.

Repeal of Duties on Live Stock and Frozen Meat.

Penalty.

3. IF any person fails to comply with the provisions of the last preceding section, he shall be guilty of an offence, and, upon conviction thereof by a Court of summary jurisdiction, shall be liable to a penalty not exceeding Fifty pounds.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. IV.

AN ACT to apply a sum out of the Consolidated Revenue Fund and from Moneys to Credit of the General Loan Fund to the Services of the Year ending the last day of June, One thousand nine hundred and one, and to appropriate the Supplies granted in this and the previous Session of Parliament.

[Assented to, 5th December, 1900.]

MOST GRACIOUS SOVEREIGN,—

WE, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of Western Australia in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted; And be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia,

Preamble.

Appropriation—1900-1.

Australia, in this present Parliament assembled, and by the authority of the same, as follows (that is to say):—

Application of
moneys.

1. THERE shall and may be issued and applied, for or towards making good the Supply granted to Her Majesty for the services of the year ending the last day of June, One thousand nine hundred and one, the following sums, that is to say:

From the Consolidated Revenue Fund, the sum of One million six hundred and eighty-one thousand one hundred and fifty-seven pounds six shillings and one penny.

From moneys to credit of the General Loan Fund, the sum of One million and four hundred and ninety-eight thousand five hundred and twenty pounds and threepence.

Appropriation of
supplies.
Schedule A.

2. ALL sums granted by this Act, and the Acts mentioned in Schedule A to this Act, towards making good the Supply granted to Her Majesty, that is to say:

From the Consolidated Revenue Fund, the sum of Two million three hundred and eighty-one thousand one hundred and fifty-seven pounds six shillings and one penny;

From moneys to credit of the General Loan Fund, the sum of One million seven hundred and forty-eight thousand five hundred and twenty pounds and threepence;

Schedules B and C.

are appropriated and shall be deemed to have been appropriated for the purposes and services expressed in Schedules B and C.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE A.

FOR THE SERVICES OF THE YEAR ENDING 30TH JUNE, 1901.

<i>Consolidated Revenue Fund:</i>				£	s.	d.
Under 63 Vict., No. 56	...	£300,000	0 0			
Under 64 Vict., No. 1	...	400,000	0 0			
Under this Act	...	1,681,157	6 1			
				2,881,157	6	1
<i>The General Loan Fund:</i>						
Under 63 Vict., No. 56	...	150,000	0 0			
Under 64 Vict., No. 1	...	100,000	0 0			
Under this Act	...	1,498,520	0 3			
				1,748,520	0	3
				4,129,677	6	4

*Appropriation—1900-1.***SCHEDULE B.****CONSOLIDATED REVENUE FUND FOR THE SERVICES OF THE
YEAR ENDING 30TH JUNE, 1901.****SUMMARY.**

	£	s.	d.
His Excellency the Governor	1,459	0	0
The Executive Council	300	0	0
The Legislative Council	2,465	0	0
The Legislative Assembly	5,485	0	0
The Colonial Treasurer	354,411	15	10
The Commissioner of Railways	1,252,456	0	0
The Commissioner of Crown Lands	70,146	8	0
The Minister of Mines	91,631	1	8
The Attorney General	52,055	13	3
The Colonial Secretary	550,747	7	4
	£2,381,157	6	1

I T E M S.**1900-1901.****HIS EXCELLENCY THE GOVERNOR.**

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
HIS EXCELLENCY THE GOVERNOR.								
SALARIES, FIXED—£779.								
		Private Secretary (Civil List).						
1	1	Aide-de-Camp	250	0	0			
2	1	Clerk in Governor's Office	300	0	0			
3	1	Office Keeper	114	0	0			
4	1	Messenger	75	0	0			
5	1	Caretaker, Government Cottage, Rottneft	40	0	0			
ALLOWANCES—£30.								
6	1	Lodging Allowance in lieu of Quarters to Office Keeper	30	0	0			
CONTINGENCIES—£650.								
7	...	Incidental Expenses	100	0	0			
8	...	*Postage, Telephone Rent, and Foreign Telegrams	400	0	0			
9	...	*Stationery	50	0	0			
10	...	Water	100	0	0			
Total His Excellency the Governor			...	...		1459	0	0
Amount carried forward to Total EXECUTIVE COUNCIL			...	...		1459	0	0

Foreign Telegrams were classified with Stationery in previous years, now included with Postages, etc.

Appropriation—1900-1.

EXECUTIVE COUNCIL.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
EXECUTIVE COUNCIL.								
SALARIES, FIXED—£185.								
		Clerk of the Council (Civil List).						
1	1	Clerk Assistant	185	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£70.								
2	1	Messenger	70	0	0			
CONTINGENCIES—£45.								
3	...	Incidental Expenses	30	0	0			
4	...	*Postage, Telephone Rent, and Foreign Telegrams ...	10	0	0			
5	...	*Stationery	5	0	0			
Total Executive Council						300	0	0
Amount brought forward from Total to HIS EXCELLENCY THE GOVERNOR						1459	0	0
Amount carried forward to Total LEGISLATIVE COUNCIL						1759	0	0

* Foreign Telegrams were classified with Stationery last year, and now are included with Postage, etc.

LEGISLATIVE COUNCIL.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
LEGISLATIVE COUNCIL.								
SALARIES, FIXED—£1,720.								
1	1	President	600	0	0			
2	1	Chairman of Committees	300	0	0			
3	1	Clerk of Council	450	0	0			
4	1	Assistant Clerk and Usher Black Rod	225	0	0			
5	1	Caretaker	145	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£275.								
6	1	Chief Messenger	100	0	0			
7	1	Assistant Messenger (Sessional)	25	0	0			
8	...	Refreshment Room—Wages	150	0	0			
ALLOWANCES—£20.								
9	1	Lodging Allowance in lieu of Quarters to Caretaker ...	20	0	0			
CONTINGENCIES—£450.								
10	...	Cleaning, Lighting, and Incidental Expenses	200	0	0			
11	...	Postage, Telephone Rent, and Foreign Telegrams ...	70	0	0			
12	...	*Stationery, Typewriters, etc.	30	0	0			
13	...	Select Committees, Payment of Witnesses (both Houses)	50	0	0			
14	...	Refreshment Room—Furniture	100	0	0			
Total Legislative Council						2465	0	0
Amount brought forward from Total to EXECUTIVE COUNCIL ...						1759	0	0
Amount carried forward to Total LEGISLATIVE ASSEMBLY						4224	0	0

* Foreign Telegrams were classified with Stationery last year, and now are included in Postage, etc.

Appropriation—1900—1.

LEGISLATIVE ASSEMBLY.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
LEGISLATIVE ASSEMBLY.								
SALARIES, FIXED—£1,925.								
1	1	Speaker	600	0	0			
2	1	Chairman of Committees	300	0	0			
3	1	Clerk of Assembly	450	0	0			
4	1	Clerk, Assistant	225	0	0			
5	1	Sergeant-at-Arms	125	0	0			
6	1	Librarian, Parliamentary Library	50	0	0			
7	1	*Chief Messenger	175	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£2,835.								
8	1	Chief <i>Hansard</i> Reporter	450	0	0			
9	1	<i>Hansard</i> Reporter	350	0	0			
10	1	Do.	350	0	0			
11	1	Do.	350	0	0			
12	1	Do. (Emergency)	50	0	0			
13	...	Typewriters (occasionally employed)	450	0	0			
14	1	Assistant Messenger	65	0	0			
15	1	Do. (Sessional)	30	0	0			
16	1	Do. do.	20	0	0			
17	1	Caterer	120	0	0			
18	...	Refreshment Room Wages	600	0	0			
CONTINGENCIES—£725.								
19	...	Incidental Expenses (including Electric Lighting, Furniture, etc.)	350	0	0			
20	...	Refreshment Room	100	0	0			
21	...	Grant for Library	100	0	0			
22	...	Postage, Telephone Rent, and Foreign Telegrams	100	0	0			
23	...	†Stationery, Typewriters, etc.	75	0	0			
Total Legislative Assembly						5485	0	0
Amount brought forward from Total to LEGISLATIVE COUNCIL						4224	0	0
Amount carried forward to Total COLONIAL TREASURER						9709	0	0

* Previously under Salaries, Provisional and Temporary.

† Foreign Telegrams were classified with Stationery last year, and now are included in Postage, etc.

Appropriation—1900-1.

COLONIAL TREASURER.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
TREASURY.								
SALARIES, FIXED—£7,270 8s. 1d.								
1	1	Colonial Treasurer (Civil List.)						
		Under Treasurer ...	650	0	0			
<i>Accounting Branch—</i>								
2	1	Accountant ...	440	0	0			
3	1	Paymaster and Receiver ...	365	0	0			
4	1	Examiner and Public Debt Ledgerkeeper ...	365	0	0			
5	1	Bookkeeper ...	225	0	0			
6	1	Clerk ...	200	0	0			
7	1	Do. ...	190	0	0			
8	1	Do. ...	170	0	0			
9	1	Do. ...	170	0	0			
10	1	Do. ...	170	0	0			
11	1	Do. ...	170	0	0			
12	1	Do. ...	170	0	0			
13	1	Do. ...	140	0	0			
14	1	Do. ...	160	0	0			
15	1	Do. ...	150	0	0			
16	1	Do. ...	130	0	0			
17	1	Do. ...	120	0	0			
18	1	Do. ...	120	0	0			
19	1	Do. ...	110	0	0			
20	1	Do. ...	100	0	0			
21-22	2	Junior Clerks at £70 per annum each	140	0	0			
23	1	Messenger ...	80	0	0			
<i>Companies Duty Act, 1899—</i>								
24	1	Collector, etc., from 17th August, 1900, to 30th June, 1901, at £250 per annum	218	8	3			
<i>Correspondence Branch—</i>								
25	1	Registrar ...	275	0	0			
26	1	Shorthand Clerk and Typist ...	130	0	0			
27	1	Clerk ...	130	0	0			
<i>District Officers—</i>								
28	1	Cashier, Albany <i>a</i> ...	60	0	0			
29	1	Clerk, Albany ...	170	0	0			
30	1	Cashier, Bunbury ...	260	0	0			
31	1	Do. Broad Arrow <i>b</i> (1st July to 16th August at £250, 17th August to 30th June at £25 per annum) ...	53	8	7			
32	1	Do. Coolgardie ...	260	0	0			
33	1	Do. Cue <i>c</i> ...	50	0	0			
34	1	Do. Geraldton <i>d</i> ...	60	0	0			
35	1	Clerk, Geraldton <i>e</i> ...	140	0	0			
Carried forward			6341	16	10			

a Receives £35 as Quarantine Attendant, and £225 as Clerk of the Court. *b* Receives £225 as Clerk of the Court. *c* Receives £300 as Mining Registrar. *d* Receives £240 as Landing Waiter, Geraldton. *e* Receives £50 as Customs Clerk, Geraldton.

Appropriation—1900–1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Treasury—continued.								
		Brought forward ...	6341	16	10			
<i>District Officers—continued.</i>								
36	1	Cashier, Esperance <i>f</i> ...	60	0	0			
37	1	Do. Kalgoorlie ...	260	0	0			
38	1	Do. Kanowna <i>g</i> ...	25	0	0			
39	1	Do. Menzies <i>h</i> (10th May, 1900, to 30th June, 1901, at £25 per annum) ...	28	11	3			
40	1	Do. Norseman <i>i</i> ...	35	0	0			
41	1	Do. Roebourne <i>j</i> ...	260	0	0			
42	1	Paymaster, Imperial Accounts ...	100	0	0			
43	1	Clerk do. ...	160	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£269.								
44	1	Temporary Clerical Assistance ...	140	0	0			
45	1	Office Cleaner ...	54	0	0			
46	1	Caretaker, Public Buildings, Geraldton <i>k</i> ...	75	0	0			
CONTINGENCIES—£1,450.								
47	...	Incidental Expenses (including Travelling Expenses) ...	100	0	0			
48	...	Postage, Telephone Rent, and Foreign Telegrams ...	1100	0	0			
49	...	*Stationery, Typewriters, etc. ...	250	0	0			
		Total Treasury ...				8989	8	1
LONDON AGENCY.								
SALARIES, FIXED—£2,820.								
1	1	Agent General ...	1500	0	0			
2	1	Secretary ...	650	0	0			
3	1	Shorthand Writer ...	200	0	0			
4	1	Clerk ...	200	0	0			
5	1	Do. ...	150	0	0			
6	1	Do. ...	120	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£250.								
7	...	Clerical Assistance ...	250	0	0			
CONTINGENCIES—£1,300.								
8	...	Incidental Expenses (including Travelling Expenses) ...	350	0	0			
9	...	Rent of Offices (including cleaning, fuel, and light) ...	450	0	0			
10	...	Postage Telephone Rent, and Telegrams ...	350	0	0			
11	...	*Stationery, Typewriters, etc. ...	150	0	0			
		Total London Agency ...				4370	0	0
		Carried forward ...				13359	8	1

f Receives £100 as Customs Landing Surveyor and £100 as Clerk of the Court. *g* Receives £225 as Clerk of the Court. *h* Receives £225 as Clerk of the Court. *i* Receives £225 as Clerk of the Court. *j* Receives £35 as Electoral Registrar. *k* £75 paid from Stipendiary Magistracy. * Foreign Telegrams were classified with Stationery last year, and now are included in Postage, etc.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			13359	8	1
		CUSTOMS.						
		SALARIES, FIXED—£24,150.						
1	1	Collector of Customs and Excise, Registrar of Shipping, and Receiver of Wreck	700	0	0			
2	1	Chief Clerk	400	0	0			
3	1	Warehousekeeper	340	0	0			
4	1	Cashier	315	0	0			
5	1	Clerk	270	0	0			
6	1	Do. and Assistant Registrar of Shipping	270	0	0			
7	1	Statist	270	0	0			
8	1	Accountant	270	0	0			
9	1	Clerk	225	0	0			
10	1	Do.	225	0	0			
11	1	Do.	215	0	0			
12	1	Do.	185	0	0			
13	1	Do.	175	0	0			
14	1	Do.	175	0	0			
15	1	Do.	175	0	0			
16	1	Do.	165	0	0			
17	1	Shorthand Writer and Typist	165	0	0			
18	1	Clerk	165	0	0			
19	1	Do.	160	0	0			
20	1	Do.	150	0	0			
21	1	Do.	150	0	0			
22	1	Do.	150	0	0			
23	1	Do.	130	0	0			
24	1	Do.	130	0	0			
25	1	Do.	120	0	0			
26	1	Do.	110	0	0			
27	1	Do.	100	0	0			
28	1	Clerk and Messenger	90	0	0			
29	1	Chief Landing Surveyor	500	0	0			
30	1	Landing Surveyor	380	0	0			
31	1	Jerquer	280	0	0			
32	1	Chief Landing Waiter	280	0	0			
33	1	Landing Waiter	280	0	0			
34	1	Do.	280	0	0			
35	1	Do.	250	0	0			
36	1	Assistant Landing Waiter	250	0	0			
37	1	Do.	230	0	0			
38	1	Do.	230	0	0			
39	1	Do.	200	0	0			
40	1	Do.	190	0	0			
41	1	Do.	190	0	0			
42	1	Do.	180	0	0			
43	1	Shipping Master	270	0	0			
44	1	Gauger	220	0	0			
45	1	Tide Surveyor	230	0	0			
46	1	Locker, "A" and "B" Stores	210	0	0			
47	1	Do. Queen's Warehouse	180	0	0			
		Carried forward ...	10825	0	0	13359	8	1

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			13359	8	1
		Customs—continued.						
		Brought forward ...	10825	0	0			
		SALARIES, FIXED—continued.						
48	1	Locker ...	180	0	0			
49	1	Do. ...	180	0	0			
50	1	Do. ...	170	0	0			
51	1	Do. ...	170	0	0			
52	1	Do. ...	170	0	0			
53	1	Do. ...	160	0	0			
54	1	Delivery Clerk ...	160	0	0			
55	1	Do. ...	160	0	0			
56	1	Do. ...	160	0	0			
57	1	Do. ...	160	0	0			
58	1	Do. ...	160	0	0			
59	1	Do. ...	150	0	0			
60	1	<i>Fremanile</i> { Coxswain ...	140	0	0			
61	1	(contd.) { Tidewater ...	150	0	0			
62	1	Do. ...	150	0	0			
63	1	Do. ...	140	0	0			
64	1	Do. ...	140	0	0			
65	1	Detective Officer ...	180	0	0			
66	1	Foreman "A" Store ...	120	0	0			
67	1	Do. "B" Store ...	120	0	0			
68	1	Do. "C" Store ...	120	0	0			
69	1	Do. Queen's Warehouse ...	120	0	0			
70-75	6	Labourers, at £110 each per annum ...	660	0	0			
76	1	Night Watchman ...	110	0	0			
77	1	Sub-Collector ...	360	0	0			
78	1	Landing Waiter ...	230	0	0			
79	1	<i>Albany</i> { Assistant Landing Waiter ...	180	0	0			
80	1	Tide Waiter ...	150	0	0			
81	1	Clerk ...	140	0	0			
82	1	Locker and Warehouseman ...	140	0	0			
83	1	<i>Broome</i> { a Landing Waiter ...	120	0	0			
84	1	Assistant Landing Waiter ...	170	0	0			
85	1	b Caretaker Water Supply ...	50	0	0			
86	1	Landing Waiter ...	250	0	0			
87	1	<i>Bunbury</i> { Assistant Landing Waiter ...	150	0	0			
88	1	Clerk ...	110	0	0			
89	1	Night Watchman ...	100	0	0			
90	1	c Sub-Collector of Customs and Revenue ...	85	0	0			
91	1	<i>Busselton</i> { Landing Waiter ...	50	0	0			
92	1	Assisting Landing Waiter ...	20	0	0			
93	1	<i>Carnarvon</i> ... Clerk, Landing Waiter and Warehouse-keeper ...	80	0	0			
94	1	Landing Waiter ...	275	0	0			
95	1	<i>Cossack</i> { Assistant Landing Waiter ...	175	0	0			
96	1	Do. do. ...	175	0	0			
97	1	<i>Derby</i> ... d Landing Waiter and Warehouseman ...	110	0	0			
		Carried forward ...	18075	0	0	13359	8	1

a Receives £100 as Clerk of Court. b Previously paid by Public Works Department. c Receives £135 as Clerk of Court. d Receives £140 as Clerk of Court and £15 as Electoral Registrar.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			13359	8	1
		Customs—continued.						
		Brought forward ...	18075	0	0			
		SALARIES FIXED—continued.						
98	1	Dongara ... <i>e</i> Landing Waiter and Warehouseman ...	50	0	0			
99	1	Eyre ... <i>f</i> Do. do. do. ...	10	0	0			
100	1	... <i>g</i> Sub-Collector ...	100	0	0			
101	1	Esperance ... Assistant Landing Waiter ...	130	0	0			
102	1	... Jetty Foreman ...	120	0	0			
103	1	Flinders Bay Landing Waiter ...	180	0	0			
104	1	... <i>h</i> Clerk and Landing Waiter ...	260	0	0			
105	1	... Assistant Landing Waiter ...	140	0	0			
106	1	Geraldton ... <i>i</i> Assistant Clerk ...	60	0	0			
107	1	... Landing Waiter ...	220	0	0			
108	1	... Delivery Clerk ...	150	0	0			
109	1	Onslow ... <i>j</i> Landing Waiter ...	135	0	0			
110	1	... Sub-Collector of Customs ...	360	0	0			
111	1	... Landing Waiter ...	280	0	0			
112	1	... Do. ...	230	0	0			
113	1	... Cashier ...	200	0	0			
114	1	... Assistant Landing Waiter ...	210	0	0			
115	1	... Do. ...	200	0	0			
116	1	... Do. ...	190	0	0			
117	1	... Do. ...	190	0	0			
118	1	... Do. ...	180	0	0			
119	1	... Do. ...	180	0	0			
120	1	... Clerk ...	180	0	0			
121	1	Perth ... Do. ...	160	0	0			
122	1	... Do. ...	150	0	0			
123	1	... Do. ...	70	0	0			
124	1	... Locker, Queen's Warehouse ...	180	0	0			
125	1	... Do. Private Bond ...	180	0	0			
126	1	... Do. Riverside Bond ...	180	0	0			
127	1	... Delivery Clerk ...	160	0	0			
128	1	... Do. ...	160	0	0			
129	1	... Do. ...	150	0	0			
130	1	... Labourer and Tally Clerk ...	130	0	0			
131-133	3	... Labourers, at £110 each per annum ...	330	0	0			
134	1	... Night Watchman ...	110	0	0			
135	1	Rockingham Landing Waiter ...	20	0	0			
136	1	Sharks Bay Do. ...	30	0	0			
137-139	3	Officers to carry out provisions of Passengers Act (2), at £50 each, and 1 at £10 ...	110	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£2,000.						
140	...	Tidewaiters and Landing Waiters, etc., occasionally employed, and Temporary Clerical Assistance ...	2000	0	0			
		Carried forward ...	26150	0	0	13359	8	1

e Receives £20 as Clerk of Court.
£60 as Treasury Cashier.

f Receives £250 as Postmaster.
i Receives £130 as Clerk, Treasury.

g Receives £100 as Clerk of Court, and £60 as Treasury Cashier.
j Receives £100 as Clerk of Court and £15 as Electoral Registrar.

h Receives

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			13359	8	1
		Customs—continued.						
		Brought forward ...	26150	0	0			
		ALLOWANCES—£200.						
141	1	House Allowance, Collector of Customs ...	100	0	0			
142	1	Tropical Allowance, Landing Waiter, Cossack ...	50	0	0			
143	1	Do. do. Onslow ...	50	0	0			
		CONTINGENCIES—£1,835.						
144	...	Incidental Expenses (including Travelling Expenses) ...	900	0	0			
145	...	Postage, Telephone Rent, and Foreign Telegrams ...	650	0	0			
146	...	*Stationery, Typewriters, etc. ...	250	0	0			
147	...	Rent, Dongara Bond ...	35	0	0			
		Explosives Branch—£2,035.						
		SALARIES, FIXED—£1,545.						
148	1	Chief Inspector of Explosives and Government Analyst ...	400	0	0			
149	1	Assistant ...	200	0	0			
150	1	Do. ...	90	0	0			
151	1	Clerk and Assistant ...	170	0	0			
152	1	Clerk and Typewriter ...	170	0	0			
153	1	Caretaker, Fremantle Magazine ...	160	0	0			
154	1	Watchman, Powder Magazine ...	110	0	0			
155	1	Do. do. ...	110	0	0			
156	1	Do. do. ...	110	0	0			
157	1	Geraldton, Magazine-keeper ...	25	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£30.						
158	...	Extra Labour ...	30	0	0			
		CONTINGENCIES—£460.						
159	...	Incidental Expenses (including Travelling Expenses) ...	125	0	0			
160	...	Apparatus, Books, Chemicals for Laboratory of Chief Inspector of Explosives ...	225	0	0			
161	...	Haulage and Maintenance, Magazine Tramline ...	110	0	0			
		Excise Branch—£1,270.						
		SALARIES, FIXED—£870.						
162	1	Senior Inspector ...	280	0	0			
163	1	Inspector ...	200	0	0			
164	1	Do. ...	200	0	0			
165	1	Do. ...	190	0	0			
		CONTINGENCIES—£400.						
166	...	Incidental Expenses (including Travelling Expenses) ...	400	0	0			
		Total Customs ...	...			31490	0	0
		Carried forward ...	...			44849	8	1

* Foreign Telegrams were classified in Stationery last year, and are now included in Postage, etc.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			44849	8	1
		HARBOUR AND LIGHT.						
		SALARIES, FIXED—£10,636.						
1	1	Chief Harbour Master ...	600	0	0			
2	1	Clerk ...	265	0	0			
3	1	Assistant Harbour Master and Pilot ...	400	0	0			
4	1	Port Pilot ...	275	0	0			
5	1	Inspector of Boilers ...	260	0	0			
6	1	*Berthing Master ...	300	0	0			
		<i>Boat's Crew:</i>						
7	1	Coxswain and Assistant Pilot ...	200	0	0			
8	1	Leading Hand and Pilot ...	175	0	0			
9	1	Boatman and Diver ...	120	0	0			
10	1	Boatman and Storeman ...	120	0	0			
11	1	<i>Fremantle</i> ... Do. ...	114	0	0			
12	1	Do. ...	114	0	0			
13	1	Do. ...	114	0	0			
14	1	Do. ...	114	0	0			
15	1	Do. ...	114	0	0			
16	1	Do. and Cook ...	114	0	0			
17	1	Carpenter and Shipwright ...	126	0	0			
18	1	Light Keeper ...	126	0	0			
19	1	Assistant Light Keeper ...	120	0	0			
20	1	Do. do. ...	120	0	0			
21	1	Reserve do. ...	24	0	0			
22	1	Pilot ...	275	0	0			
23	1	Assistant Pilot ...	225	0	0			
		<i>Boat's Crew:</i>						
24	1	Leading Hand and Pilot ...	175	0	0			
25	1	Boatman ...	114	0	0			
26	1	Do. ...	108	0	0			
27	1	Do. ...	108	0	0			
28	1	<i>Rottnest</i> ... Do. ...	108	0	0			
29	1	Cook ...	108	0	0			
30	1	Light Keeper ...	132	0	0			
31	1	Assistant do. ...	114	0	0			
32	1	Do. do. ...	114	0	0			
33	1	Light Keeper, Bathurst Point ...	132	0	0			
34	1	Signalman, Telephone ...	114	0	0			
35	1	Do. do. ...	114	0	0			
36	1	Harbour Master and Pilot ...	375	0	0			
37	1	Assistant Pilot ...	300	0	0			
		<i>Boat's Crew:</i>						
38	1	Coxswain ...	200	0	0			
39	1	Boatman ...	114	0	0			
40	1	<i>Albany</i> ... Do. and Diver ...	114	0	0			
41	1	Do. ...	108	0	0			
42	1	Do. ...	108	0	0			
43	1	Do. ...	108	0	0			
44	1	Cook ...	108	0	0			
		Carried forward ...	7391	0	0	44849	8	1

* Previously under Salaries, Provisional and Temporary.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			44849	8	1
		Harbour and Light—continued.						
		Brought forward	7391	0	0			
		SALARIES, FIXED—continued.						
45	1	Engine Driver, Steam Launch...	132	0	0			
46	1	Signalman, Harbour Office ...	120	0	0			
47	1	Do. do. ...	120	0	0			
48	1	Albany Light Keeper, Point King ...	114	0	0			
49	1	(contd.) Do. Breaksea Island ...	126	0	0			
50	1	Assistant Keeper do. ...	114	0	0			
51	1	Do. do. do. ...	114	0	0			
52	1	Reserve do. do. ...	20	0	0			
53	1	Broome Jetty Light Keeper ...	54	0	0			
54	1	Harbour Master and Pilot ...	275	0	0			
55	1	Bunbury Boatman ...	102	0	0			
56	1	Light Keeper and Caretaker of Jetty ...	100	0	0			
57	1	Bussellton Light Keeper ...	40	0	0			
58	1	Do. ...	156	0	0			
59	1	Cape Leeuwin Assistant Light Keeper ...	144	0	0			
60	1	Do. do. ...	144	0	0			
61	1	Carter and Reserve Light Keeper ...	108	0	0			
62	1	Carnarvon Light Keeper, Babbage Island ...	114	0	0			
63	1	Jetty Light Keeper ...	20	0	0			
64	1	Cossack Light Keeper, Jarman Island ...	144	0	0			
65	1	Assistant do. do. ...	126	0	0			
66	1	Dongara (Irwin) Light Keeper ...	60	0	0			
67	1	Derby Jetty Light Keeper ...	20	0	0			
68	1	Esperance Bay, Jetty Light Keeper ...	20	0	0			
69	1	Freshwater Camp, Sharks Bay, Light Keeper ...	20	0	0			
70	1	Harbour Master and Pilot ...	225	0	0			
71	1	Light Keeper, Point Moore ...	125	0	0			
72	1	Assistant do. do. ...	108	0	0			
73	1	Geraldton Light Keeper, Bluff ...	108	0	0			
74	1	Reserve do. do. ...	20	0	0			
75	1	Jetty Light Keeper ...	30	0	0			
76	1	Boatman ...	102	0	0			
77	1	Wyndham Jetty Light Keeper ...	20	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£1,669.						
78	...	Master of "Penguin," and Pilot ...	275	0	0			
79-83	5	1 Engineer and Fitter at £240, 2 Firemen at £120 each, 2 Sailors at £114 each per annum, "Penguin" ...	708	0	0			
84	...	Extra Labour (including Wages and removing Vessels on arrival) ...	350	0	0			
85	...	Reserve, Lightkeepers, and Extra Labour ...	300	0	0			
86-87	2	Lamplighters, Fremantle Jetty ...	36	0	0			
		ALLOWANCES—£173.						
88	...	Firewood (in lieu of) Harbour Master, Albany ...	10	0	0			
89	...	Do. do. Pilot, Albany ...	7	0	0			
		Carried forward ...	12322	0	0	44849	8	1

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward .. ..	...			44849	8	1
		Harbour and Light—continued.						
		Brought forward	12322	0	0			
		ALLOWANCES—continued.						
90	...	Sustenance, Rottnest Pilot (while in Fremantle) ..	25	0	0			
91	...	Lodging (Coxswain, Fremantle)	25	0	0			
92	...	Do. (Leading Hand, Fremantle)	25	0	0			
93	...	Do. (Berthing Master, Fremantle)	25	0	0			
94	...	Do. (Harbour Master, Bunbury)	39	0	0			
95	...	Taking Tides, Leading Hand, Fremantle	5	0	0			
96	...	Time Ball Attendant Assistant Light Keeper, Arthur's Head	12	0	0			
		CONTINGENCIES—£5,870.						
97	...	Firewood, Transport, &c., for Breaksea Island, Point King, and Jarman Island	320	0	0			
98	...	Oil, &c., for Lighthouses	1200	0	0			
99	...	Beacons and Buoys	1600	0	0			
100	...	Repairs and Purchase of Boats	300	0	0			
101	...	Upkeep and Insurance, Uniforms for Officers and Crew of "Penguin"	900	0	0			
102	...	Uniforms for Pilots' and Boats' Crews	400	0	0			
103	...	Incidental Expenses (including Travelling Expenses) ..	500	0	0			
104	...	Gas, Repairs, &c., of Jetty Lamps	250	0	0			
105	...	Postage, Telephone Rent, and Foreign Telegrams ..	250	0	0			
106	...	*Stationery, Typewriters, etc. (including Charts, Books, etc.)	150	0	0			
		Steam Tug "Victoria"—£1,900.						
		SALARIES, PROVISIONAL AND TEMPORARY—£1,100.						
107	1	Master (11 months, at £18 per month)	198	0	0			
108-113	6	1 Engineer at £193, 1 Artificer (11 months at £152), 2 Sailors at £9 per month each, 2 Firemen at £9 10s. per month each	776	0	0			
114	...	Extra Labour	126	0	0			
		CONTINGENCIES—£800.						
115	...	Coal, Ship and Engine Room Stores	400	0	0			
116	...	Incidental Expenses (including Insurance)	400	0	0			
		Total Harbour and Light .. ..	...			20248	0	0
		GOVERNMENT STORES.						
		SALARIES, FIXED—£2,650.						
1	1	Government Storekeeper	500	0	0			
2	1	Chief Clerk	330	0	0			
3	1	Accountant	285	0	0			
4	1	Inspector	225	0	0			
		Carried forward	1340	0	0	65097	8	1

* Foreign Telegrams were classified in Stationery last year, and now are included in Postage, etc.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			65097	8	1
		Government Stores—continued.						
		Brought forward ...	1340	0	0			
		SALARIES FIXED—continued.						
5	1	Bookkeeper ..	200	0	0			
6	1	Clerk ...	180	0	0			
7	1	Do. ...	180	0	0			
8	1	Do. ...	155	0	0			
9	1	Junior Clerk ...	90	0	0			
10	1	Do. ...	90	0	0			
11	1	Storeman ...	225	0	0			
12	1	Do. ...	190	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£1,800.						
13	...	Clerks and Labourers occasionally employed ...	1800	0	0			
		CONTINGENCIES—£885.						
14	...	Incidental Expenses (including Travelling Expenses)	175	0	0			
15	...	Transport, Government Stores, etc. ...	150	0	0			
16	...	Postage, Telephone Rent, and Foreign Telegrams ...	180	0	0			
17	...	*Stationery, Typewriters, etc. ...	80	0	0			
18	...	Stock-taking, Government Stores ...	50	0	0			
19	...	Water, Lighting, Fuel, and Sanitary Services ...	50	0	0			
20	...	Advertising ...	200	0	0			
		Total Government Stores ...	...			5335	0	0
		LITERARY, SCIENTIFIC, AND AGRICULTURAL GRANTS, &c.						
1	...	Victoria Public Library, Annual Upkeep ...	3000	0	0			
2	...	Mechanics' Institutes and Working Men's Associations and Art Societies ...	1250	0	0			
3	...	Agricultural and Horticultural Societies ...	1200	0	0			
4	...	Perth Museum and Art Gallery ...	3800	0	0			
5	...	Deaf and Dumb Institute ...	200	0	0			
6	...	Zoological Gardens ...	3900	0	0			
7	...	Grant to Home Teaching Society for the Blind ...	500	0	0			
8	...	Grant to the Sailors' Rest, Fremantle ...	200	0	0			
9	...	Grant to Albany Horticultural Society for Erection of Show Buildings ...	350	0	0			
10	...	Grant Coolgardie Chamber of Mines for Equipment of Museum ...	250	0	0			
11	...	Grant to Geraldton Agricultural Society for purchase of Land and improvements thereto ...	250	0	0			
12	...	Grant for Adelaide Public Examinations ...	100	0	0			
13	...	Exhibitions ...	150	0	0			
		Total Literary, Scientific, and Agricultural Grants, etc.	...			15150	0	0
		Carried forward ...	...			85582	8	1

*Foreign Telegrams were classified with Stationery last year, and now are included with Postage, etc.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			85582	8	1
PENSIONS.								
1	...	H. P. Loftie Late Deputy Surveyor General ...	58	6	8			
2	...	H. B. Grimaldi „ Colonial Chaplain ...	20	0	0			
3	...	H. Spencer „ First-Class Clerk ...	112	10	0			
4	...	John Costello „ Cooper, Customs, Bunbury ...	8	8	0			
5	...	S. B. Duffield „ Lighthouse Keeper, Rottneſt... ..	33	6	8			
6	...	Mary Benson „ Matron, Fremantle Gaol ...	2	18	4			
7	...	G. Sadler „ Chaplain, Gingin ...	50	0	0			
8	...	Mrs. Pyke „ Matron, Lunatic Asylum ...	14	10	3			
9	...	Mrs. McMullen „ Do. Fremantle Prison ...	5	0	0			
10	...	A. Helmich „ Postmaster General, 1st to 9th July ...	9	13	7			
11	...	Cecil Rogers „ Resident Medical Officer, Albany ...	46	13	4			
12	...	A. Woodbridge „ Gaoler, Perth Prison ...	85	13	4			
13	...	Mrs. Woodbridge „ Matron do. ...	24	0	0			
14	...	T. W. Salkild „ Warder and Clerk, Perth Prison ...	34	16	8			
15	...	O. Griffin „ Warder, Fremantle Lunatic Asylum ...	11	14	2			
16	...	E. T. Troode „ Chief Clerk, Customs ...	250	0	0			
17	...	W. Joyce „ Issuer, Central Board of Education, 1st July, 1900, to 15th August, 1900 ...	8	10	2			
18	...	G. B. Humble „ Schoolmaster, Fremantle ...	125	0	0			
19	...	A. Oliver „ Principal Warder, Rottneſt ...	68	12	0			
20	...	Theresa Strappini „ Schoolmistress, Geraldton ...	35	10	8			
21	...	Mrs. Growse „ Do. Northam ...	24	13	7			
22	...	J. W. Johnson „ Schoolmaster, Dongara ...	33	6	4			
23	...	W. Hymus „ Schoolmaster, Pinjarrah ...	59	7	7			
24	...	J. Withers „ Colonial Chaplain ...	60	8	4			
25	...	Mrs. R. Robins „ Schoolmistress, Beverley ...	13	15	6			
26	...	Thos. John „ Principal Warder, Lunatic Asylum ...	39	8	0			
27	...	Mrs. Sutcliffe „ Postmistress, Pinjarrah ...	37	10	0			
28	...	James Hasleby „ Schoolmaster, Northampton ...	38	10	9			
29	...	J. C. Rosselloty „ Resident Magistrate, Williams ...	46	14	2			
30	...	S. N. Walcott „ School Teacher, Rottneſt ...	46	13	4			
31	...	M. Nugent „ Nurse, Lunatic Asylum ...	29	4	0			
32	...	W. Mayhew „ Resident Medical Officer, New- castle ...	69	12	4			
33	...	G. J. Bell „ Warder, Lunatic Asylum ...	27	8	5			
34	...	J. Craig „ Do. Fremantle Prison ...	27	14	5			
35	...	M. Park „ Do. do. ...	32	17	10			
36	...	A. R. Waylen „ Colonial Surgeon ...	342	10	0			
37	...	T. Finnigan „ Office Keeper, Government House ...	32	10	0			
38	...	A. P. Curtis „ Clerk, General Post Office ...	139	1	5			
39	...	D. G. Watkins „ Colonial Chaplain ...	130	0	0			
		Carried forward ...	2236	9	10	85582	8	1

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No of Persons.		£ s. d.	£ s. d.
		Brought forward ...	...	85582 8 1
		Pensions—continued.		
		Brought forward ...	2286 9 10	
40	...	Mrs. B. Spurling Late Assistant Teacher, Guildford Girls' School ...	47 0 8	
41	..	Jas. Clough „ Locomotive Foreman ...	62 16 8	
42	...	W. Gilbertson „ Orderly, Mount Eliza Dépôt ...	17 10 0	
43	...	W. Bell „ Head Master, Perth Boys' School ...	150 0 0	
44	...	Mrs. A. G. Price „ Mistress, Infant School, Fremantle ...	32 5 3	
45	...	E. C. Dean „ Chief Draftsman, Survey Department ...	175 0 0	
46	...	Miss C. Doolan „ Postmistress, Dardanup ...	6 0 0	
47	...	Mrs. E. Bell „ Schoolmistress, Onslow ...	33 11 5	
48	...	John S. Brooking „ Deputy Surveyor General ...	250 0 0	
49	...	John Crampton „ Postmaster, Brunswick ...	11 0 0	
50	...	W. R. Clifford „ Bookbinder, Government Printing Office ...	81 4 4	
51	...	Mrs. C. Pass „ Nurse, Lunatic Asylum ...	22 15 0	
52	...	W. Mather „ Locomotive Superintendent ...	150 0 0	
53	...	S. Hope „ Superintendent Fremantle Prison ...	107 11 2	
54	...	W. J. Coppin „ Lineman, Telegraph Department, Perth ...	39 2 3	
55	...	Miss A. Horley „ Schoolmistress, York Infant School ...	62 1 6	
56	...	Mrs. E. Milne „ Assistant, Albany School ...	52 5 0	
57	...	Mrs. Armstrong „ Matron, Fremantle Lunatic Asylum ...	69 19 5	
58	...	Miss S. Commerford „ Postmistress, Claremont ...	40 0 0	
59	...	Mrs. J. Stanley „ Schoolmistress, Bridgetown ...	39 9 2	
60	...	G. T. Poole „ Assistant Engineer-in-Chief ...	170 0 0	
61	...	Miss E. Reddaway „ School Teacher, Fremantle Infant School ...	60 1 1	
62	...	Miss J. Boyd „ Schoolmistress, York ...	82 13 4	
63	...	S. Gardiner „ Inspector of Schools ...	214 8 10	
64	...	Mrs. Alice Ecclestone „ Schoolmistress, Boyanup ...	24 18 2	
65	...	Henry Blinco „ Principal Warder, Fremantle Prison ...	45 10 7	
66	...	J. C. Rosselloty „ Resident Medical Officer, Williams ...	75 12 6	
67	...	E. F. Angelo „ Superintendent, Rottneest ...	114 11 10	
68	...	J. F. Stone „ Immigration Agent and Officer to carry out Passengers Act ...	17 10 0	
69	...	H. M. Thomas „ Clerk of Court, Albany ...	149 7 5	
70	...	F. L. Hussey „ Chief Accountant, Treasury ...	282 7 2	
71	...	H. Passmore „ Officer in charge Black Swan Dredge ...	112 9 6	
		Carried forward ...	5035 12 1	85582 8 1

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			88582	8	1
		Pensions—continued.						
		Brought forward ...	5035	12	1			
72	...	R. C. Loftie Late Government Resident, Albany	360	0	0			
73	...	W. Boyle „ Senior Warder, Fremantle						
		Gaol ...	42	18	6			
74	...	J. H. Munday „ Schoolmaster, Guildford ...	97	4	4			
75	...	J. J. Stephens „ Photo-lithographer, Survey						
		Department ...	112	10	0			
76	...	Col. E. W. Haynes „ Second Master, High School						
		Perth ...	100	0	0			
77	...	Lt.-Col. C. D. Forbes „ Secretary Central Board of						
		Health ...	50	0	0			
78	...	Sergt. McCarthy „ Magazine Caretaker, Fre-						
		mantle ...	59	2	3			
79	...	Mrs. Cockman Old Colonist ...	36	0	0			
80	...	Mrs. Helmich Widow of the late Post-						
		master General ...	50	0	0			
		Total Pensions ...	...			5943	7	2
		REFUNDS.						
1	...	Refunds ...	2000	0	0			
		Total Refunds ...	...			2000	0	0
		ABORIGINES.						
1	...	Promoting the Welfare of the Aboriginal Natives ...	5000	0	0			
		Total Aborigines ...	...			5000	0	0
		Carried forward ...	...			98525	15	3

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...				98525	15	3
MISCELLANEOUS SERVICES.								
1	...	Destruction of Wild Dogs ...	1400	0	0			
2	...	Royal Humane Society of Australasia ...	20	0	0			
3	...	Incidental Expenses ...	9000	0	0			
4	...	Grant-in-aid to Society for Prevention of Cruelty to Animals ...	100	0	0			
5	...	Subsidy to Municipalities at 10s. in £ ...	35000	0	0			
6	...	Expenses connected with W. A. Court in Imperial Institute ...	150	0	0			
7	...	Improvements to Site new Perth Cemeteries ...	500	0	0			
8	...	Improvement of Recreation Grounds generally ...	5000	0	0			
9	...	Commission on Interest paid by the Crown Agent and the London and Westminster Bank ...	4000	0	0			
10	...	Albany Recreation Ground, Improvements ...	1500	0	0			
11	...	Perth Park ...	2500	0	0			
12	...	Perth, Hyde Park ...	500	0	0			
13	...	Grant-in-aid Salvation Army for Rescue and Prison Gate Work ...	200	0	0			
14	...	Sanitation Grants ...	3000	0	0			
15	...	Annuity to Timothy Yorke for injuries at Rocky Bay Quarries ...	75	0	0			
16	...	Fremantle Cemetery ...	500	0	0			
17	...	Coolgardie Mining Exhibition ...	750	0	0			
18	...	Paris Exhibition ...	13000	0	0			
19	...	Glasgow Exhibition ...	5000	0	0			
20	...	Law Costs ...	1000	0	0			
21	...	East Fremantle Park Land, Purchase of ...	2000	0	0			
22	...	Grant-in-Aid, Upkeep Fire Brigade, Bulong ...	50	0	0			
23	...	Do. do. do. Broad Arrow ...	50	0	0			
24	...	Do. do. do. Bunbury ...	50	0	0			
25	...	Do. do. do. Boulder ...	50	0	0			
26	...	Do. do. do. Coolgardie ...	150	0	0			
27	...	Do. do. do. Cue ...	50	0	0			
28	...	Do. do. do. Esperance ...	50	0	0			
29	...	Do. do. do. Fremantle ...	200	0	0			
30	...	Do. do. do. Geraldton ...	100	0	0			
31	...	Do. do. do. Kalgoorlie ...	150	0	0			
32	...	Do. do. do. Kanowna ...	50	0	0			
33	...	Do. do. do. Menzies... ...	50	0	0			
34	...	Do. do. do. Norseman ...	50	0	0			
35	...	Do. do. do. Northam ...	50	0	0			
36	...	Do. do. do. North Fremantle ...	50	0	0			
37	...	Bunbury Fire Brigade, Grant for Engine ...	350	0	0			
38	...	Boulder Fire Brigade ...	150	0	0			
39	...	Contribution towards Fire Brigade Board ...	450	0	0			
40	...	East Fremantle Fire Brigade Grant-in-Aid (special) ...	200	0	0			
41	...	Leederville Fire Brigade, Grant-in-Aid (special) ...	150	0	0			
42	...	Menzies Fire Brigade, Grant-in-Aid (special) ...	150	0	0			
		Carried forward ...	87795	0	0	98525	15	3

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			98525	15	3
		Miscellaneous—continued.						
		Brought forward ...	87795	0	0			
43	...	Northam Fire Brigade ...	250	0	0			
44	...	Southern Cross Fire Brigade, Grant for Engine ...	250	0	0			
45	...	Grant to Fire Brigade Board towards Purchase of Ambulance Van ...	50	0	0			
46	...	Grant-in-Aid of the House of Mercy ...	500	0	0			
47	...	Do. Home of Peace, £ for £ ...	500	0	0			
48	...	Grant to North Fremantle Municipal Council for Sanitary Scheme ...	500	0	0			
49	...	Grant to Coolgardie Municipal Council to recoup Advance to Coolgardie Exhibition ...	1000	0	0			
50	...	Purchase of Land for Racecourse, Northam ...	300	0	0			
51	...	Grant for Improving Esperance Racecourse ...	100	0	0			
52	...	Helena Vale Cemetery, improvements ...	250	0	0			
53	...	Grant to W.A. Chamber of Manufactures, £ for £ raised by subscription, and £100 annual grant ...	100	0	0			
54	...	Purchase of Site for Recreation Ground, Peppermint Grove ...	3000	0	0			
55	...	Purchase of Land at Bicton for Recreation Ground ...	3000	0	0			
56	...	Queen's Park, Geraldton ...	300	0	0			
57	...	Gratuity to the Widow of the late Captain Butcher, Harbour Master, Albany ...	500	0	0			
58	...	Bunbury Baths, £ for £ ...	250	0	0			
59	...	Busselton Baths, £ for £ ...	250	0	0			
60	...	Monger's Lake, Improvements ...	500	0	0			
61	...	Cottesloe, Fencing Park Lands ...	300	0	0			
62	...	Leederville, Refund of Moneys illegally obtained from the Treasury ...	418	0	0			
		Total Miscellaneous Services ...	...			100113	0	0
		PREMIER'S DEPARTMENT.						
		SALARIES, FIXED—£1,109 10s. 7d.						
1	1	Under Secretary* ...	200	0	0			
2	1	Chief Clerk† ...	425	0	0			
3	1	Registrar ...	180	0	0			
4	1	Correspondence and Shorthand Clerk (1st July to 10th August, at £225 p.a., 17th August to 30th June, at £200 p.a.) ...	199	10	7			
5	1	Messenger ...	105	0	0			
		CONTINGENCIES—£140.						
6	...	Incidental Expenses ...	10	0	0			
7	...	Postage, Telephone Rent, and Foreign Telegrams ...	100	0	0			
8	...	† Stationery ...	30	0	0			
		Total Premier's Department ...	...			1249	10	7
		Carried forward ...	...			199888	5	10

* Receives £350 from Civil List (as Clerk of Executive Council) and acts as Private Secretary to Premier.

† Transferred from Chief Clerkship, Post Office.

‡ Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			199888	5	10
		POLICE.						
		SALARIES, FIXED—£76,928.						
		<i>Chief Office—</i>						
1	1	Commissioner ...	750	0	0			
2	1	Chief Clerk and Accountant ...	350	0	0			
3	1	Clerk ...	235	0	0			
4	1	Do. ...	225	0	0			
5	1	Do. and Storekeeper ...	200	0	0			
6	1	Do. ...	165	0	0			
7	1	Do. ...	160	0	0			
8	1	Do. Storekeeper's Branch ...	160	0	0			
9	1	Clerk ...	155	0	0			
10	1	Do. (Junior) ...	70	0	0			
11	1	Messenger ...	72	0	0			
12	1	Storemen at 6s. 6d. per diem ...	118	12	6			
		<i>Constabulary—</i>						
13	1	Superintendent ...	375	0	0			
14	1	Inspector ...	325	0	0			
15	1	Do. ...	325	0	0			
16	1	Do. ...	325	0	0			
17	1	Do. ...	325	0	0			
18	1	Do. ...	325	0	0			
19	1	Do. ...	325	0	0			
20	1	Sub-Inspector ...	300	0	0			
21	1	Do. ...	300	0	0			
22	1	Do. ...	300	0	0			
23	1	Do. ...	275	0	0			
24	1	Do. ...	225	0	0			
25	1	Do. ...	225	0	0			
26	1	Do. ...	225	0	0			
27	1	Do. ...	225	0	0			
28	1	Do. ...	225	0	0			
29-54	26	Sergeants at 11s. a day each* ...	5000	0	0			
55-82	28	Corporals at 9s. 6d. a day each* ...	4000	0	0			
83-256	174	First Class Constables at 8s. 6d. a day* ...	25000	0	0			
257-453	197	Second Class Constables at 7s. 6d. a day* ...	25000	0	0			
454-468	15	Probation Constables at 6s. 6s. a day each* (Reserve) ...	1500	0	0			
469-492	24	Probation Constables at 6s. a day each* ...	2000	0	0			
		<i>Water Police—</i>						
493	1	Sergeant at 11s. a day ...	200	15	0			
494	1	Coxswain at 9s. 6d. a day ...	173	7	6			
495-505	11	Constables at 8s. 6d. a day each* ...	1600	0	0			
506-517	12	Do. at 7s. 6d. a day each* ...	1400	0	0			
518-519	2	Do. at 7s. 6d. a day each (River Police) ...	273	15	0			
		Carried forward ...	73433	10	0	199888	5	10

* Portion of a year only.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			199888	5	10
		Police—continued.						
		Brought forward ...	73433	10	0			
		SALARIES, FIXED—continued.						
		<i>Detective Branch—</i>						
520	1	Inspector ...	325	0	0			
521-522	2	Constables at 13s. a day each ...	474	10	0			
523-527	5	Do. at 12s. a day each ...	1095	0	0			
528-536	9	Do. at 11s. a day each* ...	1600	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£300.						
537	...	Special Constables and Native Trackers ...	300	0	0			
		ALLOWANCES—£11,560.						
538	...	Lodging Allowance in lieu of Quarters ...	5030	0	0			
539	...	Ration Allowance—Special to Police in certain Districts ...	4000	0	0			
540	...	Allowance for Maintenance of Native Trackers ...	2400	0	0			
541	...	Allowance in lieu of Uniforms to Chief Inspector and 6 Inspectors at £15 each ...	105	0	0			
542	...	Allowance to Inspector Criminal Investigation Branch...	25	0	0			
		CONTINGENCIES—£27,125.						
543	...	Arms and Ammunition ...	500	0	0			
544	...	Clothing ...	3500	0	0			
545	...	Remounts ...	1200	0	0			
546	...	Travelling Expenses and Transport (including Travelling of Special Constables) ...	8000	0	0			
547	...	Information ...	100	0	0			
548	...	Shoeing and Saddlery ...	1000	0	0			
549	...	Forage ...	5700	0	0			
550	...	Rent ...	250	0	0			
551	...	Fuel and Light for Lockups and Stations ...	600	0	0			
552	...	Subsidy to Police Benefit Fund—viz., Rewards £200, Gratuities £2,000 ...	2200	0	0			
553	...	Incidental Expenses ...	1700	0	0			
554	...	Postage, Telephone Rent, and Foreign Telegrams ...	1400	0	0			
555	...	† Stationery, Typewriters, etc. ...	300	0	0			
556	...	Photography ...	75	0	0			
557	...	Sanitary Services for Police Stations and Lockups ...	300	0	0			
558	...	Water Supply for Stations and Lockups ...	300	0	0			
		Total Police ...	...			115913	0	0
		Carried forward ...	...			315801	5	10

* Portion of a year only. † Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.
 NOTE.—The salaries and allowances of one Sergeant and five Constables employed exclusively at the Royal Mint, amounting to £1,061 13s. 8d., are provided for in this Estimate, and will be refunded by the Mint authorities.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			315801	5	10
		DEFENCES.						
		Land Forces—£16,164 10s.						
		SALARIES, FIXED—£1,150.						
1	1	Commandant	600	0	0			
2	1	Chief Staff Officer	350	0	0			
3	1	Chief Clerk and Accountant	200	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY— £2,119 10s.						
4	1	Clerk and Registrar	182	0	0			
5	1	Clerk and Typewriter	60	0	0			
6	1	Stores and Magazine Caretaker, Perth	36	10	0			
7	1	Armourer	25	0	0			
8	1	Messenger	52	0	0			
9-14	6	Infantry Instructors at £150† per annum each	800	0	0			
15	1	Artillery Instructor and Master Gunner	160	0	0			
16	1	Caretaker, Karrakatta	104	0	0			
17	1	Bandmaster, Head-Quarters' Band	120	0	0			
18	1	Band Sergeant do.	20	0	0			
19-47	29	Bandsmen do.	260	0	0			
48	...	Extra Labour	100	0	0			
49	...	Caretakers of Armouries, Drill Halls, and Military Office	200	0	0			
		ALLOWANCES—£785.						
50	1	Lodging Allowance, Commandant	100	0	0			
51	1	Do. Chief Staff Officer	70	0	0			
52-57	6	Do. Drill Instructors, Master Gunner, £78, and 5 Instructors, £65 each	403	0	0			
58	1	Fuel and Light, Drill Instructor	12	0	0			
59	1	Forage Allowance, Commandant	50	0	0			
60	1	" " Chief Staff Officer	50	0	0			
61	1	Travelling Allowance, Chief Staff Officer	50	0	0			
62-63	2	Goldfields Allowance to Instructors	50	0	0			
		CONTINGENCIES—£12,810.						
64	...	Capitation Allowance	2500	0	0			
65	...	Capitation Grant for Clothing for Cadets	450	0	0			
66	...	Head-Quarters Band, Maintenance and Incidental Expenses	60	0	0			
67	...	Band Allowances to Volunteer Corps	250	0	0			
68	...	Drill Instruction of Corps and care of Arms	250	0	0			
69	...	Maintenance, Field Guns	200	0	0			
70	...	Ammunition for Field Guns	250	0	0			
		Carried forward ...	3960	0	0	315801	5	10

† For a portion of a year only.

Appropriation—1900-1.

COLONIAL TREASURER—(continued).

Item No.	No. of Person.		£	s.	d.	£	s.	d.
		Brought forward ...	...			315801	5	10
		Defences—continued.						
		Brought forward ...	3960	0	0			
		CONTINGENCIES—continued.						
71	...	Horse Hire, Artillery Guns and other Parade purposes	300	0	0			
72	...	Harness and Maintenance, Artillery and Mounted Infantry ...	250	0	0			
73	...	Small Arms Ammunition ...	700	0	0			
74	...	Small Arms, care and maintenance of, and Gymnastic Appliances ...	2000	0	0			
75	...	Prizes, Gunnery and Musketry ...	200	0	0			
76	...	Rifle Meeting, Annual, at Karrakatta ...	100	0	0			
77	...	Paid Parades and Annual Encampment ...	2000	0	0			
78	...	Transport ...	200	0	0			
79	...	Incidental Expenses (including Rail Fares and Travelling Expenses) ...	1000	0	0			
80	...	Rifle Ranges, Construction and Maintenance ...	300	0	0			
81	...	Targets ...	100	0	0			
82	...	Tents and Camp Equipment ...	300	0	0			
83	...	Accoutrements ...	300	0	0			
84	...	Lighting, Water Supply, and Maintenance of Drill Halls	400	0	0			
85	...	Stationery Allowance to Volunteer Corps ...	100	0	0			
86	...	Postage, Telegrams, and Telephone Rent ...	150	0	0			
87	...	Stationery, Typewriters, etc. ...	50	0	0			
88	...	Rent of Armouries and Drill Halls ...	100	0	0			
89	...	Cadet Rifles, 500 with Bayonets, and 500 Dummy Rifles	300	0	0			
		Federal Forces—£16,930.						
		CONTINGENCIES—£16,930.						
90	...	Maintenance of Albany Garrison, Contribution towards	1500	0	0			
91	...	Maintenance of Garrison at Thursday Island, Contribution towards ...	430	0	0			
92	...	Expenses in connection with Military Unit sent to South Africa, including Deferred Pay, £14,539, and deducting moneys due by the Imperial Government to 31/12/1900 ...	15000	0	0			
		Marine Forces—£4,816.						
		CONTINGENCIES—£4,816.						
93	...	Upkeep Australian Auxiliary Squadron, Contribution towards ...	4816	0	0			
		Total Defences ...				38610	10	0
		Total Colonial Treasurer ...				354411	15	10
		Amount brought forward from LEGISLATIVE ASSEMBLY ...				9709	0	0
		Amount carried forward to Total COMMISSIONER OF RAILWAYS ...				364120	15	10

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
RAILWAYS AND TRAMWAYS.								
SALARIES, FIXED—£147,521.								
<i>Under Secretary's Branch.</i>								
1	1	Under Secretary ...	550	0	0			
2	1	Chief Clerk ...	300	0	0			
3	1	Clerk ...	210	0	0			
4	1	Do. ...	180	0	0			
5	1	Do. ...	100	0	0			
6	1	Do. ...	84	0	0			
7	1	Do., Junior ...	50	0	0			
<i>General Manager's Branch.</i>								
8	1	General Manager ...	1500	0	0			
9	1	Chief Clerk ...	400	0	0			
10	1	Clerk ...	300	0	0			
11	1	Do. ...	210	0	0			
12	1	Do. ...	200	0	0			
13	1	Do. ...	200	0	0			
14	1	Do. ...	170	0	0			
15	1	Do. ...	160	0	0			
16	1	Do., Junior ...	100	0	0			
17	1	Do. do. ...	70	0	0			
18	1	Do. do. ...	70	0	0			
19	1	Do. ...	180	0	0			
20	1	Stores Manager ...	350	0	0			
<i>Chief Accountant's Branch.</i>								
21	1	Chief Accountant ...	600	0	0			
22	1	Traffic Auditor ...	400	0	0			
23	1	Assistant Accountant (six months' supernumerary) ...	200	0	0			
24	1	Do. (previously Sub-Accountant) ...	400	0	0			
25	1	Paymaster ...	325	0	0			
26	1	Chief Clerk ...	325	0	0			
27	1	Travelling Inspector ...	300	0	0			
28	1	Do. ...	250	0	0			
29	1	Do. ...	225	0	0			
30	1	Clerk ...	250	0	0			
31	1	Do. ...	200	0	0			
32	1	Do. ...	130	0	0			
33	1	Do. ...	200	0	0			
34	1	Do. ...	160	0	0			
35	1	Do. ...	160	0	0			
36	1	Do. Cadet ...	40	0	0			
37	1	Do. do. ...	40	0	0			
38	1	Do. do. ...	40	0	0			
39	1	Chief Clerk, Goods Audit ...	250	0	0			
40	1	Do. Coaching do. ...	250	0	0			
41	1	Clerk ...	225	0	0			
42	1	Do. ...	180	0	0			
43	1	Do. ...	170	0	0			
Carried forward ...			10754	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	10754	0	0			
SALARIES, FIXED—continued.								
<i>Chief Accountant's Branch—continued.</i>								
44	1	Clerk	180	0	0			
45	1	Do.	180	0	0			
46	1	Do.	180	0	0			
47	1	Do.	170	0	0			
48	1	Do.	170	0	0			
49	1	Do.	160	0	0			
50	1	Do.	150	0	0			
51	1	Do.	140	0	0			
52	1	Do. Junior	110	0	0			
53	1	Do.	100	0	0			
54	1	Do.	100	0	0			
55	1	Do. Cadet	90	0	0			
56	1	Do.	90	0	0			
57	1	Do.	90	0	0			
58	1	Do.	70	0	0			
59	1	Do.	70	0	0			
60	1	Do.	50	0	0			
61	1	Do.	40	0	0			
62	1	Do.	130	0	0			
63	1	Cashier	250	0	0			
64	1	Clerk	170	0	0			
65	1	Do.	130	0	0			
66	1	Assistant Paymaster	275	0	0			
67	1	Clerk	230	0	0			
68	1	Do.	200	0	0			
69	1	Do.	200	0	0			
70	1	Do.	190	0	0			
71	1	Do.	175	0	0			
72	1	Do.	170	0	0			
73	1	Do.	180	0	0			
74	1	Do. (Junior)	150	0	0			
75	1	Do. (Cadet)	100	0	0			
76	1	Do.	40	0	0			
77	1	Chief Clerk, Expenditure Branch	*275	0	0			
78	1	Book-keeper	200	0	0			
79	1	Clerk	160	0	0			
80	1	Do. (Junior)	110	0	0			
81	1	Do.	90	0	0			
82	1	Do.	90	0	0			
83	1	Clerk	180	0	0			
84	1	Do.	140	0	0			
85	1	Do.	160	0	0			
86	1	Do.	40	0	0			
87	1	Do.	150	0	0			
		Carried forward	17079	0	0			

* Previously Assistant Paymaster at £250.

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	17079	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch.</i>								
88	1	Chief Traffic Manager	900	0	0			
89	1	District Superintendent	400	0	0			
90	1	Do.	450	0	0			
91	1	Do.	400	0	0			
92	1	Do.	400	0	0			
93	1	Do.	350	0	0			
94	1	Chief Clerk	350	0	0			
95	1	Inspector	260	0	0			
96	1	Do.	265	0	0			
97	1	Do.	240	0	0			
98	1	Do.	240	0	0			
99	1	Do.	225	0	0			
100	1	Do.	225	0	0			
101	1	Do.	210	0	0			
102	1	Do.	170	0	0			
103	1	Do.	250	0	0			
104	1	Do.	200	0	0			
105	1	Do.	60	0	0			
106	1	Station Master	220	0	0			
107	1	Do.	180	0	0			
108	1	Do.	150	0	0			
109	1	Do.	170	0	0			
110	1	Do.	200	0	0			
111	1	Do.	170	0	0			
112	1	Do.	160	0	0			
113	1	Do.	295	0	0			
114	1	Do.	170	0	0			
115	1	Do.	170	0	0			
116	1	Do.	145	0	0			
117	1	Do.	200	0	0			
118	1	Do.	295	0	0			
119	1	Do.	150	0	0			
120	1	Do.	150	0	0			
121	1	Do.	200	0	0			
122	1	Do.	170	0	0			
123	1	Do.	170	0	0			
124	1	Do.	160	0	0			
125	1	Do.	285	0	0			
126	1	Do.	170	0	0			
127	1	Do.	150	0	0			
128	1	Do.	250	0	0			
129	1	Do.	275	0	0			
130	1	Do.	300	0	0			
131	1	Do.	250	0	0			
132	1	Do.	200	0	0			
		Carried forward	28079	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	...	28079	0	0		
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
133	1	Station Master	...	160	0	0		
134	1	Do.	...	200	0	0		
135	1	Do.	...	200	0	0		
136	1	Do.	...	150	0	0		
137	1	Do.	...	235	0	0		
138	1	Do.	...	150	0	0		
139	1	Do.	...	150	0	0		
140	1	Do.	...	170	0	0		
141	1	Do.	...	160	0	0		
142	1	Do.	...	160	0	0		
143	1	Do.	...	175	0	0		
144	1	Do.	...	160	0	0		
145	1	Do.	...	180	0	0		
146	1	Do.	...	150	0	0		
147	1	Do.	...	160	0	0		
148	1	Do.	...	150	0	0		
149	1	Do.	...	275	0	0		
150	1	Do.	...	160	0	0		
151	1	Do.	...	180	0	0		
152	1	Do.	...	170	0	0		
153	1	Do.	...	170	0	0		
154	1	Do.	...	200	0	0		
155	1	Do.	...	170	0	0		
156	1	Do.	...	150	0	0		
157	1	Do.	...	160	0	0		
158	1	Do.	...	250	0	0		
159	1	Do.	...	270	0	0		
160	1	Do. (less Midland Railway Co.'s proportion)	...	160	0	0		
161	1	Do.	...	170	0	0		
162	1	Do.	...	180	0	0		
163	1	Do.	...	210	0	0		
164	1	Night Station Master	...	150	0	0		
165	1	Do.	...	180	0	0		
166	1	Do.	...	160	0	0		
167	1	Do.	...	160	0	0		
168	1	Do.	...	160	0	0		
169	1	Do.	...	150	0	0		
170	1	Do.	...	170	0	0		
171	1	Do.	...	150	0	0		
172	1	Goods Agent	...	350	0	0		
173	1	Do.	...	250	0	0		
174	1	Do. and Piermaster	...	360	0	0		
175	1	Officer in Charge	...	150	0	0		
176	1	Do.	...	140	0	0		
		Carried forward	...	36194	0	0		

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	36194	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
177	1	Officer in Charge...	140	0	0			
178	1	Do.	140	0	0			
179	1	Do.	150	0	0			
180	1	Do.	140	0	0			
181	1	Do.	150	0	0			
182	1	Do.	140	0	0			
183	1	Do.	140	0	0			
184	1	Do.	140	0	0			
185	1	Do.	140	0	0			
186	1	Do.	140	0	0			
187	1	Do.	140	0	0			
188	1	Do.	140	0	0			
189	1	Do.	140	0	0			
190	1	Do.	140	0	0			
191	1	Do.	140	0	0			
192	1	Do.	140	0	0			
193	1	Do.	150	0	0			
194	1	Do.	140	0	0			
195	1	Do.	140	0	0			
196	1	Do.	150	0	0			
197	1	Do.	140	0	0			
198	1	Do.	140	0	0			
199	1	Do.	140	0	0			
200	1	Do.	140	0	0			
201	1	Do.	140	0	0			
202	1	Do.	140	0	0			
203	1	Do.	140	0	0			
204	1	Do.	140	0	0			
205	1	Do.	140	0	0			
206	1	Do.	140	0	0			
207	1	Do.	140	0	0			
208	1	Do.	140	0	0			
209	1	Do.	140	0	0			
210	1	Do.	140	0	0			
211	1	Do.	140	0	0			
212	1	Do.	140	0	0			
213	1	Do.	140	0	0			
214	1	Do.	140	0	0			
215	1	Do.	140	0	0			
216	1	Do.	140	0	0			
217	1	Do.	140	0	0			
218	1	Do.	150	0	0			
219	1	Do.	140	0	0			
220	1	Do.	140	0	0			
221	1	Do.	140	0	0			
222	1	Do.	140	0	0			
		Carried forward ...	42684	0	0			

*Appropriation—1900-1.***COMMISSIONER OF RAILWAYS—(continued).**

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	...	42684	0	0		
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
223	1	Officer in Charge...	...	150	0	0		
224	1	Do.	...	140	0	0		
225	1	Do.	...	140	0	0		
226	1	Do.	...	140	0	0		
227	1	Do.	...	140	0	0		
228	1	Do.	...	150	0	0		
229	1	Do.	...	140	0	0		
230	1	Do.	...	150	0	0		
231	1	Do.	...	150	0	0		
232	1	Do.	...	150	0	0		
233	1	Do.	...	150	0	0		
234	1	Do.	...	140	0	0		
235	1	Do.	...	150	0	0		
236	1	Do.	...	150	0	0		
237	1	Do.	...	140	0	0		
238	1	Do.	...	140	0	0		
239	1	Do.	...	140	0	0		
240	1	Do.	...	140	0	0		
241	1	Do.	...	140	0	0		
242	1	Do.	...	150	0	0		
243	1	Do.	...	150	0	0		
244	1	Do.	...	150	0	0		
245	1	Do.	...	130	0	0		
246	1	Do.	...	140	0	0		
247	1	Do.	...	150	0	0		
248	1	Do.	...	150	0	0		
249	1	Do.	...	130	0	0		
250	1	Do.	...	140	0	0		
251	1	Do.	...	130	0	0		
252	1	Do.	...	130	0	0		
253	1	Do.	...	140	0	0		
254	1	Do.	...	130	0	0		
255	1	Do.	...	140	0	0		
256	1	Do.	...	140	0	0		
257	1	Do.	...	140	0	0		
258	1	Do.	...	140	0	0		
259	1	Do.	...	140	0	0		
260	1	Do.	...	140	0	0		
261	1	Do.	...	140	0	0		
262	1	Do.	...	140	0	0		
263	1	Do.	...	140	0	0		
264	1	Do.	...	140	0	0		
265	1	Do.	...	140	0	0		
266	1	Do.	...	150	0	0		
		Carried forward	...	48984	0	0		

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	48934	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
267	1	Officer in Charge...	150	0	0			
268	1	Do.	140	0	0			
269	1	Do.	140	0	0			
270	1	Do.	140	0	0			
271	1	Do.	140	0	0			
272	1	Do.	140	0	0			
273	1	Do.	130	0	0			
274	1	Night Officer	140	0	0			
275	1	Do.	140	0	0			
276	1	Do.	130	0	0			
277	1	Do.	140	0	0			
278	1	Do.	140	0	0			
279	1	Do.	140	0	0			
280	1	Do.	130	0	0			
281	1	Do.	140	0	0			
282	1	Do.	140	0	0			
283	1	Do.	130	0	0			
284	1	Do.	140	0	0			
285	1	Do.	140	0	0			
286	1	Do.	130	0	0			
287	1	Do.	140	0	0			
288	1	Do.	130	0	0			
289	1	Do.	130	0	0			
290	1	Do.	140	0	0			
291	1	Do.	140	0	0			
292	1	Do.	130	0	0			
293	1	Do.	130	0	0			
294	1	Do.	130	0	0			
295	1	Do.	130	0	0			
296	1	Do.	130	0	0			
297	1	Do.	140	0	0			
298	1	Do.	140	0	0			
299	1	Do.	140	0	0			
300	1	Do.	140	0	0			
301	1	Do.	140	0	0			
302	1	Do.	130	0	0			
303	1	Do.	140	0	0			
304	1	Do.	130	0	0			
305	1	Do.	140	0	0			
306	1	Do.	130	0	0			
307	1	Do.	140	0	0			
308	1	Do.	130	0	0			
309	1	Do.	130	0	0			
310	1	Do.	130	0	0			
311	1	Do.	130	0	0			
Carried forward ...			55054	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	55054	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
312	1	Night Officer ...	130	0	0			
313	1	Do. ...	140	0	0			
314	1	Do. ...	130	0	0			
315	1	Do. ...	130	0	0			
316	1	Do. ...	140	0	0			
317	1	Do. ...	130	0	0			
318	1	Do. ...	130	0	0			
319	1	Do. ...	130	0	0			
320	1	Do. ...	130	0	0			
321	1	Do. ...	130	0	0			
322	1	Do. ...	130	0	0			
323	1	Do. ...	130	0	0			
324	1	Do. ...	130	0	0			
325	1	Do. ...	130	0	0			
326	1	Do. ...	130	0	0			
327	1	Do. ...	130	0	0			
328	1	Do. ...	130	0	0			
329	1	Do. ...	130	0	0			
330	1	Do. ...	130	0	0			
331	1	Do. ...	130	0	0			
332	1	Do. ...	130	0	0			
333	1	Do. ...	130	0	0			
334	1	Do. ...	130	0	0			
335	1	Do. ...	130	0	0			
336	1	Do. ...	130	0	0			
337	1	Do. ...	130	0	0			
338	1	Do. ...	140	0	0			
339	1	Do. ...	130	0	0			
340	1	Do. ...	130	0	0			
341	1	Do. ...	130	0	0			
342	1	Do. ...	130	0	0			
343	1	Do. ...	140	0	0			
344	1	Do. ...	130	0	0			
345	1	Do. ...	130	0	0			
346	1	Do. ...	130	0	0			
347	1	Do. ...	130	0	0			
348	1	Do. ...	140	0	0			
349	1	Do. ...	140	0	0			
350	1	Do. ...	130	0	0			
351	1	Do. ...	130	0	0			
352	1	Do. ...	140	0	0			
353	1	Do. ...	140	0	0			
354	1	Do. ...	140	0	0			
		Carried forward ...	60784	0	0			

*Appropriation—1900-1.***COMMISSIONER OF RAILWAYS—(continued).**

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	60734	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
355	1	Night Officer ...	140	0	0			
356	1	Do. ...	140	0	0			
357	1	Do. ...	130	0	0			
358	1	Do. ...	140	0	0			
359	1	Do. ...	130	0	0			
360	1	Do. ...	130	0	0			
361	1	Do. ...	130	0	0			
362	1	Do. ...	140	0	0			
363	1	Do. ...	130	0	0			
364	1	Do. ...	130	0	0			
365	1	Do. ...	140	0	0			
366	1	Do. ...	140	0	0			
367	1	Do. ...	140	0	0			
368	1	Do. ...	130	0	0			
369	1	Do. ...	140	0	0			
370	1	Do. ...	130	0	0			
371	1	Do. ...	140	0	0			
372	1	Do. ...	130	0	0			
373	1	Do. ...	120	0	0			
374	1	Do. ...	140	0	0			
375	1	Do. ...	140	0	0			
376	1	Do. ...	130	0	0			
377	1	Do. ...	120	0	0			
378	1	Do. ...	130	0	0			
379	1	Do. ...	140	0	0			
380	1	Do. ...	130	0	0			
381	1	Do. ...	130	0	0			
382	1	Do. ...	140	0	0			
383	1	Do. ...	130	0	0			
384	1	Do. ...	130	0	0			
385	1	Do. ...	130	0	0			
386	1	Do. ...	130	0	0			
387	1	Do. ...	130	0	0			
388	1	Do. ...	130	0	0			
389	1	Do. ...	130	0	0			
390	1	Do. ...	130	0	0			
391	1	Clerk ...	300	0	0			
392	1	Do. ...	285	0	0			
393	1	Do. ...	285	0	0			
394	1	Do. ...	240	0	0			
395	1	Do. ...	210	0	0			
396	1	Do. ...	195	0	0			
397	1	Do. ...	185	0	0			
398	1	Do. ...	185	0	0			
		Carried forward ...	67409	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	67409	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
399	1	Clerk ...	165	0	0			
400	1	Do. ...	165	0	0			
401	1	Do. ...	150	0	0			
402	1	Do. ...	150	0	0			
403	1	Do. ...	140	0	0			
404	1	Do. ...	130	0	0			
405	1	Do. ...	225	0	0			
406	1	Do. ...	210	0	0			
407	1	Do. ...	200	0	0			
408	1	Do. ...	190	0	0			
409	1	Do. ...	185	0	0			
410	1	Do. ...	175	0	0			
411	1	Do. ...	170	0	0			
412	1	Do. ...	170	0	0			
413	1	Do. ...	170	0	0			
414	1	Do. ...	170	0	0			
415	1	Do. ...	170	0	0			
416	1	Do. ...	160	0	0			
417	1	Do. ...	160	0	0			
418	1	Do. ...	160	0	0			
419	1	Do. ...	150	0	0			
420	1	Do. ...	150	0	0			
421	1	Do. ...	150	0	0			
422	1	Do. ...	150	0	0			
423	1	Do. ...	150	0	0			
424	1	Do. ...	150	0	0			
425	1	Do. ...	130	0	0			
426	1	Do. ...	200	0	0			
427	1	Do. ...	170	0	0			
428	1	Do. ...	150	0	0			
429	1	Do. ...	130	0	0			
430	1	Do. ...	130	0	0			
431	1	Do. ...	130	0	0			
432	1	Do. ...	120	0	0			
433	1	Do. ...	110	0	0			
434	1	Do. ...	110	0	0			
435	1	Do. ...	275	0	0			
436	1	Do. ...	230	0	0			
437	1	Do. ...	230	0	0			
438	1	Do. ...	230	0	0			
439	1	Do. ...	190	0	0			
440	1	Do. ...	175	0	0			
441	1	Do. ...	170	0	0			
442	1	Do. ...	170	0	0			
		Carried forward ...	74774	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	74774	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
443	1	Clerk	170	0	0			
444	1	Do.	160	0	0			
445	1	Do.	170	0	0			
446	1	Do.	150	0	0			
447	1	Do.	140	0	0			
448	1	Do.	130	0	0			
449	1	Do.	130	0	0			
450	1	Do.	120	0	0			
451	1	Do.	110	0	0			
452	1	Do.	210	0	0			
453	1	Do.	210	0	0			
454	1	Do.	170	0	0			
455	1	Do.	170	0	0			
456	1	Do.	170	0	0			
457	1	Do.	170	0	0			
458	1	Do.	170	0	0			
459	1	Do.	170	0	0			
460	1	Do.	170	0	0			
461	1	Do.	170	0	0			
462	1	Do.	160	0	0			
463	1	Do.	140	0	0			
464	1	Do.	140	0	0			
465	1	Do.	140	0	0			
466	1	Do.	140	0	0			
467	1	Do.	140	0	0			
468	1	Do.	140	0	0			
469	1	Do.	140	0	0			
470	1	Do.	120	0	0			
471	1	Do.	120	0	0			
472	1	Do.	110	0	0			
473	1	Do.	110	0	0			
474	1	Do.	225	0	0			
475	1	Do.	210	0	0			
476	1	Do.	190	0	0			
477	1	Do.	180	0	0			
478	1	Do.	170	0	0			
479	1	Do.	170	0	0			
480	1	Do.	160	0	0			
481	1	Do.	160	0	0			
482	1	Do.	160	0	0			
483	1	Do.	160	0	0			
484	1	Do.	160	0	0			
485	1	Do.	150	0	0			
486	1	Do.	150	0	0			
		Carried forward	81679	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	81679	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
487	1	Clerk	150	0	0			
488	1	Do.	140	0	0			
489	1	Do.	140	0	0			
490	1	Do.	130	0	0			
491	1	Do.	120	0	0			
492	1	Do.	110	0	0			
493	1	Do.	200	0	0			
494	1	Do.	140	0	0			
495	1	Do.	120	0	0			
496	1	Do.	160	0	0			
497	1	Do.	150	0	0			
498	1	Do.	110	0	0			
499	1	Do.	150	0	0			
500	1	Do.	110	0	0			
501	1	Do.	170	0	0			
502	1	Do.	150	0	0			
503	1	Do.	180	0	0			
504	1	Do.	160	0	0			
505	1	Do.	140	0	0			
506	1	Do.	140	0	0			
507	1	Do.	200	0	0			
508	1	Do.	185	0	0			
509	1	Do.	185	0	0			
510	1	Do.	175	0	0			
511	1	Do.	170	0	0			
512	1	Do.	160	0	0			
513	1	Do.	190	0	0			
514	1	Do.	170	0	0			
515	1	Do.	160	0	0			
516	1	Do.	160	0	0			
517	1	Do.	150	0	0			
518	1	Do.	140	0	0			
519	1	Do.	140	0	0			
520	1	Do.	130	0	0			
521	1	Do.	170	0	0			
522	1	Do.	150	0	0			
523	1	Do.	110	0	0			
524	1	Do.	250	0	0			
525	1	Do.	170	0	0			
526	1	Do.	170	0	0			
527	1	Do.	170	0	0			
528	1	Do.	160	0	0			
529	1	Do.	150	0	0			
530	1	Do.	140	0	0			
Carried forward			88504	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	88504	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
531	1	Clerk ...	140	0	0			
532	1	Do. ...	120	0	0			
533	1	Do. ...	210	0	0			
534	1	Do. ...	160	0	0			
535	1	Do. ...	160	0	0			
536	1	Do. ...	180	0	0			
537	1	Do. ...	170	0	0			
538	1	Do. ...	140	0	0			
539	1	Do. ...	170	0	0			
540	1	Do. ...	160	0	0			
541	1	Do. ...	150	0	0			
542	1	Do. ...	170	0	0			
543	1	Do. ...	140	0	0			
544	1	Do. ...	130	0	0			
545	1	Do. ...	120	0	0			
546	1	Do. ...	180	0	0			
547	1	Do. ...	130	0	0			
548	1	Do. ...	120	0	0			
549	1	Do. ...	170	0	0			
550	1	Do. ...	170	0	0			
551	1	Do. ...	130	0	0			
552	1	Do. ...	170	0	0			
553	1	Do. ...	175	0	0			
554	1	Do. ...	175	0	0			
555	1	Do. ...	150	0	0			
556	1	Do. ...	150	0	0			
557	1	Do. ...	150	0	0			
558	1	Do. ...	150	0	0			
559	1	Do. ...	120	0	0			
560	1	Do. ...	120	0	0			
561	1	Do. ...	150	0	0			
562	1	Do. ...	190	0	0			
563	1	Do. ...	150	0	0			
564	1	Do. ...	140	0	0			
565	1	Do. ...	120	0	0			
566	1	Do. ...	140	0	0			
567	1	Do. ...	140	0	0			
568	1	Do. ...	150	0	0			
569	1	Do. ...	130	0	0			
570	1	Do. ...	140	0	0			
571	1	Do. ...	140	0	0			
572	1	Do. ...	140	0	0			
573	1	Do. ...	140	0	0			
574	1	Do. ...	120	0	0			
		Carried forward ...	95074	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	95074	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
575	1	Clerk ...	120	0	0			
576	1	Do. (Cadet) ...	100	0	0			
577	1	Do. do. ...	100	0	0			
578	1	Do. do. ...	100	0	0			
579	1	Do. do. ...	70	0	0			
580	1	Do. do. ...	70	0	0			
581	1	Do. do. ...	70	0	0			
582	1	Do. do. ...	50	0	0			
583	1	Do. do. ...	40	0	0			
584	1	Do. do. ...	40	0	0			
585	1	Do. do. ...	100	0	0			
586	1	Do. do. ...	90	0	0			
587	1	Do. do. ...	70	0	0			
588	1	Do. do. ...	50	0	0			
589	1	Do. do. ...	50	0	0			
590	1	Do. do. ...	50	0	0			
591	1	Cadet ...	40	0	0			
592	1	Do. ...	40	0	0			
593	1	Do. ...	100	0	0			
594	1	Do. ...	70	0	0			
595	1	Do. ...	50	0	0			
596	1	Do. ...	70	0	0			
597	1	Do. ...	90	0	0			
598	1	Do. ...	90	0	0			
599	1	Do. ...	100	0	0			
600	1	Do. ...	100	0	0			
601	1	Do. ...	90	0	0			
602	1	Do. ...	90	0	0			
603	1	Do. ...	60	0	0			
604	1	Do. ...	50	0	0			
605	1	Do. ...	40	0	0			
606	1	Do. ...	50	0	0			
607	1	Do. ...	50	0	0			
608	1	Do. ...	40	0	0			
609	1	Do. ...	70	0	0			
610	1	Do. ...	70	0	0			
611	1	Do. ...	70	0	0			
612	1	Do. ...	70	0	0			
613	1	Do. ...	90	0	0			
614	1	Do. ...	100	0	0			
615	1	Do. ...	90	0	0			
616	1	Do. ...	50	0	0			
617	1	Do. ...	40	0	0			
618	1	Do. ...	100	0	0			
619	1	Do. ...	40	0	0			
Carried forward ...			98254	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.	Railways and Tramways—continued.						£	s.	d.	£	s.	d.
		Brought forward						98254	0	0			
		SALARIES, FIXED—continued.											
		Chief Traffic Manager's Branch—continued.											
620	1	Cadet	...	...	...	...	...	60	0	0			
621	1	Do.	...	...	...	...	...	50	0	0			
622	1	Do.	...	...	...	...	...	40	0	0			
623	1	Do.	...	...	...	...	...	50	0	0			
624	1	Do.	...	...	...	...	...	70	0	0			
625	1	Do.	...	...	...	...	...	50	0	0			
626	1	Do.	...	...	...	...	...	50	0	0			
627	1	Do.	...	...	...	...	...	100	0	0			
628	1	Do.	...	...	...	...	...	50	0	0			
629	1	Do.	...	...	...	...	...	70	0	0			
630	1	Do.	...	...	...	...	...	40	0	0			
631	1	Do.	...	...	...	...	...	90	0	0			
632	1	Do.	...	...	...	...	...	70	0	0			
633	1	Do.	...	...	...	...	...	70	0	0			
634	1	Do.	...	...	...	...	...	50	0	0			
635	1	Do.	...	...	...	...	...	90	0	0			
636	1	Do.	...	...	...	...	...	90	0	0			
637	1	Do.	...	...	...	...	...	90	0	0			
638	1	Do.	...	...	...	...	...	90	0	0			
639	1	Do.	...	...	...	...	...	70	0	0			
640	1	Do.	...	...	...	...	...	80	0	0			
641	1	Do.	...	...	...	...	...	40	0	0			
642	1	Do.	...	...	...	...	...	70	0	0			
643	1	Do.	...	...	...	...	...	70	0	0			
644	1	Do.	...	...	...	...	...	50	0	0			
645	1	Do.	...	...	...	...	...	80	0	0			
646	1	Do.	...	...	...	...	...	100	0	0			
647	1	Do.	...	...	...	...	...	100	0	0			
648	1	Do.	...	...	...	...	...	40	0	0			
649	1	Do.	...	...	...	...	...	40	0	0			
650	1	Do.	...	...	...	...	...	40	0	0			
651	1	Do.	...	...	...	...	...	40	0	0			
652	1	Do.	...	...	...	...	...	40	0	0			
653	1	Do.	...	...	...	...	...	40	0	0			
654	1	Do.	...	...	...	...	...	50	0	0			
655	1	Do.	...	...	...	...	...	40	0	0			
656	1	Do.	...	...	...	...	...	70	0	0			
657	1	Do.	...	...	...	...	...	70	0	0			
658	1	Do.	...	...	...	...	...	40	0	0			
659	1	Do.	...	...	...	...	...	40	0	0			
660	1	Do.	...	...	...	...	...	40	0	0			
661	1	Do.	...	...	...	...	...	40	0	0			
662	1	Do.	...	...	...	...	...	40	0	0			
663	1	Do.	...	...	...	...	...	40	0	0			
664	1	Do.	...	...	...	...	...	40	0	0			
		Carried forward						100984	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	100934	0	0			
SALARIES, FIXED—continued.								
<i>Chief Traffic Manager's Branch—continued.</i>								
665	1	Cadet	40	0	0			
666	1	Do.	40	0	0			
667	1	Do.	40	0	0			
668	1	Do.	40	0	0			
669	1	Do.	40	0	0			
<i>Chief Mechanical Engineer's Branch.</i>								
670	1	Chief Mechanical Engineer	1000	0	0			
671	1	Works Manager	500	0	0			
672	1	Chief Locomotive Inspector	400	0	0			
673	1	Inspector	350	0	0			
674	1	Do.	350	0	0			
675	1	Do.	300	0	0			
676	1	Do.	265	0	0			
677	1	Do.	240	0	0			
678	1	Do.	260	0	0			
679	1	Do.	250	0	0			
680	1	Do.	180	0	0			
681	1	Do.	170	0	0			
682	1	Do.	170	0	0			
683	1	Do.	220	0	0			
684	1	Do.	350	0	0			
685	1	Do. of Carriages and Wagons	450	0	0			
686	1	Chief Clerk	400	0	0			
687	1	Accountant	340	0	0			
688	1	Chief Draftsman	350	0	0			
689	1	Foreman	275	0	0			
690	1	Do.	275	0	0			
691	1	Do.	275	0	0			
692	1	Do.	250	0	0			
693	1	Do.	250	0	0			
694	1	Do.	250	0	0			
695	1	Do.	250	0	0			
696	1	Do.	325	0	0			
697	1	Do.	300	0	0			
698	1	Do.	300	0	0			
699	1	Do.	251	0	0			
700	1	Do.	325	0	0			
701	1	Do.	300	0	0			
702	1	Do.	275	0	0			
703	1	Do.	251	0	0			
704	1	Do.	240	0	0			
705	1	Do.	245	0	0			
706	1	Do.	280	0	0			
		Carried forward	112596	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	112596	0	0			
SALARIES, FIXED—continued.								
<i>Chief Mechanical Engineer's Branch—continued.</i>								
707	1	Foreman ...	275	0	0			
708	1	Do. ...	255	0	0			
709	1	Do. ...	275	0	0			
710	1	Do. ...	240	0	0			
711	1	Do. ...	240	0	0			
712	1	Do. ...	255	0	0			
713	1	Do. ...	275	0	0			
714	1	Clerk ...	230	0	0			
715	1	Do. ...	210	0	0			
716	1	Do. ...	195	0	0			
717	1	Do. ...	186	0	0			
718	1	Do. ...	190	0	0			
719	1	Do. ...	168	0	0			
720	1	Do. ...	175	0	0			
721	1	Do. ...	180	0	0			
722	1	Do. ...	175	0	0			
723	1	Do. ...	180	0	0			
724	1	Do. ...	168	0	0			
725	1	Do. ...	180	0	0			
726	1	Do. ...	168	0	0			
727	1	Do. ...	180	0	0			
728	1	Do. ...	162	0	0			
729	1	Do. ...	180	0	0			
730	1	Do. ...	156	0	0			
731	1	Do. ...	156	0	0			
732	1	Do. ...	156	0	0			
733	1	Do. ...	145	0	0			
734	1	Do. ...	140	0	0			
735	1	Do. ...	100	0	0			
736	1	Do. ...	110	0	0			
737	1	Do. ...	52	0	0			
738	1	Do. ...	80	0	0			
739	1	Do. ...	30	0	0			
740	1	Do. ...	35	0	0			
741	1	Do. ...	230	0	0			
742	1	Do. ...	180	0	0			
743	1	Do. ...	165	0	0			
744	1	Do. ...	150	0	0			
745	1	Do. ...	190	0	0			
746	1	Do. ...	160	0	0			
747	1	Do. ...	39	0	0			
748	1	Do. ...	32	0	0			
749	1	Do. ...	220	0	0			
750	1	Do. ...	156	0	0			
751	1	Do. ...	145	0	0			
		Carried forward ...	120165	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward	...	120165	0	0		
SALARIES, FIXED—continued.								
<i>Chief Mechanical Engineer's Branch—continued.</i>								
752	1	Clerk	...	175	0	0		
753	1	Do.	...	80	0	0		
754	1	Do.	...	36	0	0		
755	1	Do.	...	225	0	0		
756	1	Do.	...	160	0	0		
757	1	Do.	...	170	0	0		
758	1	Do.	...	165	0	0		
759	1	Do.	...	140	0	0		
760	1	Do.	...	170	0	0		
761	1	Do.	...	145	0	0		
762	1	Do.	...	190	0	0		
763	1	Do.	...	156	0	0		
764	1	Do.	...	168	0	0		
765	1	Do.	...	75	0	0		
766	1	Do.	...	145	0	0		
767	1	Do.	...	140	0	0		
768	1	Do.	...	175	0	0		
769	1	Do.	...	130	0	0		
770	1	Do.	...	168	0	0		
771	1	Do.	...	156	0	0		
772	1	Do.	...	175	0	0		
773	1	Do.	...	100	0	0		
774	1	Do.	...	190	0	0		
775	1	Do.	...	175	0	0		
776	1	Do.	...	145	0	0		
777	1	Do.	...	190	0	0		
778	1	Do.	...	160	0	0		
779	1	Do.	...	170	0	0		
780	1	Do.	...	120	0	0		
781	1	Do.	...	170	0	0		
782	1	Do.	...	150	0	0		
783	1	Do.	...	32	0	0		
784	1	Do.	...	40	0	0		
785	1	Do.	...	220	0	0		
786	1	Do.	...	200	0	0		
787	1	Do.	...	40	0	0		
788	1	Do.	...	40	0	0		
789	1	Do.	...	40	0	0		
790	1	Draftsman	...	260	0	0		
791	1	Do.	...	220	0	0		
792	1	Do.	...	220	0	0		
793	1	Do.	...	200	0	0		
794	1	Do.	...	150	0	0		
795	1	Do.	...	130	0	0		
796	1	Do.	...	100	0	0		
797	1	Do.	...	210	0	0		
		Carried forward	...	126981	0	0		

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	126981	0	0			
SALARIES, FIXED—continued.								
<i>Chief Engineer of Existing Lines Branch.</i>								
798	1	Chief Engineer of Existing Lines ...	800	0	0			
799	1	Assistant do. do. ...	600	0	0			
800	1	Resident Engineer ...	450	0	0			
801	1	Do. ...	450	0	0			
802	1	Do. ...	400	0	0			
803	1	Assistant Engineer ...	350	0	0			
804	1	Do. ...	325	0	0			
805	1	Do. ...	300	0	0			
806	1	Do. (jun.) ...	160	0	0			
807	1	Engineering Surveyor ...	325	0	0			
808	1	Do. ...	275	0	0			
809	1	Do. ...	275	0	0			
810	1	Do. ...	250	0	0			
811	1	Engineering Cadet ...	40	0	0			
812	1	Field Assistant ...	150	0	0			
813	1	Chief Clerk ...	350	0	0			
814	1	Accountant ...	300	0	0			
815	1	District Inspector ...	240	0	0			
816	1	Do. ...	220	0	0			
817	1	Do. ...	300	0	0			
818	1	Do. ...	240	0	0			
819	1	Do. ...	240	0	0			
820	1	Do. ...	240	0	0			
821	1	Do. ...	240	0	0			
822	1	Do. ...	240	0	0			
823	1	Do. ...	240	0	0			
824	1	Do. ...	230	0	0			
825	1	Do. ...	240	0	0			
826	1	Do. ...	220	0	0			
827	1	Do. ...	210	0	0			
828	1	Do. ...	210	0	0			
829	1	Do. ...	210	0	0			
830	1	Do. ...	200	0	0			
831	1	Do. ...	200	0	0			
832	1	Draftsman ...	250	0	0			
833	1	Do. ...	225	0	0			
834	1	Do. (jun.) ...	130	0	0			
835	1	Do. do. ...	120	0	0			
836	1	Clerk ...	240	0	0			
837	1	Do. ...	210	0	0			
838	1	Do. ...	225	0	0			
839	1	Do. ...	200	0	0			
840	1	Do. ...	200	0	0			
841	1	Do. ...	200	0	0			
		Carried forward ...	138701	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	138701	0	0			
SALARIES, FIXED—continued.								
<i>Chief Engineer of Existing Lines Branch—continued.</i>								
842	1	Clerk	200	0	0			
843	1	Do.	190	0	0			
844	1	Do.	190	0	0			
845	1	Do.	185	0	0			
846	1	Do.	180	0	0			
847	1	Do.	170	0	0			
848	1	Do.	160	0	0			
849	1	Do.	170	0	0			
850	1	Do.	170	0	0			
851	1	Do.	160	0	0			
852	1	Do.	170	0	0			
853	1	Do.	170	0	0			
854	1	Do.	160	0	0			
855	1	Do.	170	0	0			
856	1	Do.	160	0	0			
857	1	Do.	160	0	0			
858	1	Do.	150	0	0			
859	1	Do.	150	0	0			
860	1	Do.	145	0	0			
861	1	Do.	130	0	0			
862	1	Do.	120	0	0			
863	1	Do.	120	0	0			
864	1	Do.	100	0	0			
865	1	Do.	110	0	0			
866	1	Do.	100	0	0			
867	1	Do.	90	0	0			
868	1	Do.	70	0	0			
869	1	Do.	130	0	0			
870	1	Do.	125	0	0			
871	1	Do.	100	0	0			
872	1	Cadet	60	0	0			
873	1	Do.	30	0	0			
874	1	Do.	40	0	0			
875	1	Do.	40	0	0			
<i>Electrical Engineer's Branch.</i>								
876	1	Electrical Engineer	475	0	0			
877	1	Assistant Engineer	325	0	0			
878	1	Electric Light Inspector	210	0	0			
879	1	Shop Foreman	210	0	0			
880	1	Technical Clerk	200	0	0			
881	1	Draftsman	150	0	0			
882	1	Chief Clerk	220	0	0			
883	1	Clerk	185	0	0			
		Carried forward ...	145251	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	145251	0	0			
SALARIES, FIXED—continued.								
<i>Electrical Engineer's Branch—continued.</i>								
884	1	Clerk	160	0	0			
885	1	Do.	150	0	0			
886	1	Do.	155	0	0			
887	1	Do.	110	0	0			
888	1	Do.	50	0	0			
889	1	Do.	50	0	0			
890	1	Storeman	175	0	0			
891	1	Do. Assistant	120	0	0			
<i>Interlocking Engineer's Staff.</i>								
892	1	Interlocking Engineer	450	0	0			
893	1	Inspector	270	0	0			
894	1	Draftsman	145	0	0			
895	1	Clerk	175	0	0			
896	1	Do.	140	0	0			
897	1	Do.	120	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£540,000.								
898	...	{ Temporary Clerical Assistance, Wages of Packers, Foremen, Guards, Assistant Guards, Conductors, Signalmen, Head Shunters, Shunters, Head Porters, Porters, Youth Porters, Labourers, Watchmen, Gatekeepers, Checkers, Number Takers, Telephone Boys, Ticket Collectors, Carriage Cleaners, Vanmen, Tinsmiths, Towns- men, Charwomen, etc. Foremen, Mechanics, Drivers, Firemen, Cleaners, Labourers, Pumpers, Examiners, etc. ... Mechanics, Gangers, Platelayers, and Labourers, etc. Workshop and Electric Light Employees, Instrument Inspectors, Fitters, Engine-drivers, Carpenters, etc., Linemen, Labourers Interlocking Fitters (classified according to Regu- lations); also Overtime and Extra Labour }	540000	0	0			
ALLOWANCES—£27,000.								
899	...	Allowances—Travelling for Inspectors, House, and Goldfields	7000	0	0			
		Carried forward ...	694521	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Railways and Tramways—continued.								
		Brought forward ...	694521	0	0			
		CONTINGENCIES—£203,000.						
900	...	Materials and Stores of all kinds for the working of the Railways ...	172000	0	0			
901	...	Incidental and Miscellaneous Expenses (including Travelling Expenses, Printing, Stationery, Postage, Telegrams, and Telephone Rent, etc.) ...	23000	0	0			
902	...	Insurance of Buildings and Furniture, and Guarantee of Employees ...	3000	0	0			
903	...	Compensation Claims for Loss and Detention of and Damage to Goods, etc., and Loss of Life or Personal Injuries ...	5000	0	0			
		New Works and Improvements—£20,465.						
		SALARIES, PROVISIONAL AND TEMPORARY—£5,465.						
904	1	Assistant Engineer ...	400	0	0			
905	1	Do. ...	300	0	0			
906	1	Do. junr. ...	170	0	0			
907	1	Draftsman ...	275	0	0			
908	1	Do. ...	200	0	0			
909	1	Do. ...	220	0	0			
910	1	Do. ...	220	0	0			
911	1	Do. ...	200	0	0			
912	1	Do. ...	200	0	0			
913	1	Do. ...	180	0	0			
914	1	Do. ...	180	0	0			
915	1	Do. ...	180	0	0			
916	1	Do. ...	180	0	0			
917	1	Do. ...	180	0	0			
918	1	Do. junr. ...	120	0	0			
919	1	Do. ...	200	0	0			
920	1	Surveyor ...	200	0	0			
921	1	Do. ...	200	0	0			
922	1	Field Assistant ...	150	0	0			
923	1	Do. ...	150	0	0			
924	1	Clerk ...	160	0	0			
925	1	Do. ...	160	0	0			
926	1	Do. ...	100	0	0			
927	1	Do. ...	80	0	0			
928	1	Do. ...	50	0	0			
929	1	Do. ...	80	0	0			
930	1	Do. ...	150	0	0			
931	1	Do. ...	160	0	0			
932	1	Do. ...	170	0	0			
933	1	Cadet ...	40	0	0			
934	1	Do. ...	40	0	0			
935	1	Do. ...	50	0	0			
936	1	Do. ...	40	0	0			
937	1	Do. ...	40	0	0			
938	1	Do. ...	40	0	0			
		Carried forward ...	902986	0	0			

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Railways and Tramways—continued.						
		Brought forward ...	902986	0	0			
		<i>New Works and Improvements—continued.</i>						
		CONTINGENCIES—£15,000.						
939	...	Improvements and Renewals, Existing Lines, chargeable to Revenue	15,000	0	0			
		Cossack and Roebourne Tramway—£2,750.						
		<i>Traffic Branch—£1,650.</i>						
		SALARIES, FIXED—£200.						
940	1	Manager	200	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£1,300.						
941	...	Wages—Foreman, Drivers, Porters, &c. (classified according to Regulations); also Overtime and Extra Labour	1300	0	0			
		ALLOWANCES—£50.						
942	...	House Allowance, Manager	50	0	0			
		CONTINGENCIES—£100.						
943	...	Materials and Incidental Expenses, including Claims for Loss or Detention of and Damage to Goods during Transit, and Compensation for Accident or Loss of Life	100	0	0			
		<i>Traction Branch—£250.</i>						
		CONTINGENCIES—£250.						
944	...	Fodder, Paddock, Harness, and Purchase of Horses	250	0	0			
		<i>Way and Works Branch—£850.</i>						
		SALARIES, PROVISIONAL AND TEMPORARY—£600.						
945	...	Wages—Gangers and Platelayers (classified according to Regulations); also Overtime and Extra Labour	600	0	0			
		CONTINGENCIES—£250.						
946	...	Materials and Incidental Expenses	250	0	0			
		Total Railways and Tramways ...	...			920736	0	0
		Carried forward ...	...			920736	0	0

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			920736	0	0
PUBLIC WORKS.								
GENERAL DIVISION.								
£26,663.								
SALARIES, FIXED—£3,880.								
		Director of Public Works (also Commissioner of Railways) (Civil List).						
1	1	Under Secretary for Public Works ...	600	0	0			
2	1	Chief Clerk ...	400	0	0			
3	1	Chief Accountant and Paymaster ...	500	0	0			
4	1	Land Purchase and Estate Officer ...	400	0	0			
5	1	Head Clerk Accounts Office ...	300	0	0			
6	1	Chief Correspondence Clerk ...	290	0	0			
7	1	Registrar (Public Works Records) ...	250	0	0			
8	1	Do. (Architectural Records) ...	250	0	0			
9	1	Clerk (Minister's and General) ...	250	0	0			
10	1	Do. (Roads Boards) ...	250	0	0			
11	1	Shorthand Clerk (Minister's), 8 months ...	150	0	0			
12	1	Custodian of Plans ...	240	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£10,708.								
13	1	Clerk (Contracts) ...	240	0	0			
14	1	Correspondence and Shorthand Clerk ...	225	0	0			
15	1	Shorthand Clerk (Correspondence) ...	190	0	0			
16	1	Do. (Correspondence) ...	180	0	0			
17	1	Clerk (Land Purchase and Estate Office) ...	180	0	0			
18	1	Do. (Public Works Records) ...	170	0	0			
19	1	Do. (Record of Service and General) ...	170	0	0			
20	1	Do. (Architectural Records) ...	150	0	0			
21	1	Do. (Public Works Records) ...	110	0	0			
22	1	Do. (Public Works Records) ...	150	0	0			
23	1	Do. (Architectural Records) ...	110	0	0			
24	1	Typist (Correspondence) ...	90	0	0			
25	1	Junior Clerk (Correspondence) ...	40	0	0			
26	1	Do. ...	90	0	0			
27	1	Clerk ...	80	0	0			
28	1	Junior Clerk (Land Purchase and Estate Office) ...	70	0	0			
29	1	Hall Porter ...	130	0	0			
30	1	Messenger ...	125	0	0			
31	1	Relieving Clerk ...	160	0	0			
		Carried forward ...	6540	0	0	920736	0	0

*Appropriation—1900-1.***COMMISSIONER OF RAILWAYS—(continued).**

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...				920736	0	0
		Public Works—continued.						
		General Division—continued.						
		Brought forward ...	6540	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—continued.						
		ACCOUNTS AND PAY OFFICE.						
32	1	Clerk (Travelling Auditor) ...	250	0	0			
33	1	Do. (Chief Pay Clerk) ...	250	0	0			
34	1	Do. (Statistical and Returns, etc.) ...	240	0	0			
35	1	Do. (Pay Office) ...	210	0	0			
36	1	Do. (Chief Ledgerkeeper) ...	200	0	0			
37	1	Do. (Deposits and Records) ...	200	0	0			
38	1	Do. (Check Clerk and Stores Vouchers Scrutineer) ...	190	0	0			
39	1	Do. (Ledgerkeeper) ...	190	0	0			
40	1	Do. (Pay Office) ...	200	0	0			
41	1	Do. (Check Ledgerkeeper) ...	170	0	0			
42	1	Do. (Condition of Votes Ledgerkeeper) ...	180	0	0			
43	1	Do. (Schedule Clerk) ...	180	0	0			
44	1	Do. (Loan Ledgerkeeper) ...	180	0	0			
45	1	Do. (Stationery and General) ...	180	0	0			
46	1	Do. (Authorities Clerk) ...	180	0	0			
47	1	Do. (Salaries and Appointments) ...	180	0	0			
48	1	Do. (Assistant Schedule Clerk) ...	170	0	0			
49	1	Do. (Ledgerkeeper) ...	170	0	0			
50	1	Do. (Pay Clerk and Cash Bookkeeper) ...	170	0	0			
51	1	Do. (General Cash Book-keeper) ...	170	0	0			
52	1	Do. (Relieving Officer) ...	160	0	0			
53	1	Do. (Registrar of Vouchers) ...	140	0	0			
54	1	Shorthand Writer and Typist ...	140	0	0			
55	1	Clerk (Pay Office) ...	120	0	0			
56	1	Do. (Despatch, and General) ...	110	0	0			
57	1	Typist ...	108	0	0			
58	1	Junior Clerk (General) ...	60	0	0			
59	1	Caretaker and Messenger ...	100	0	0			
60	...	Temporary Assistance for all Branches ...	500	0	0			
61	...	Wages of Storeman, Packers, etc., Store Manager's office ...	350	0	0			
62	...	Wages of Office Cleaners and Labourers employed in Public Offices, Perth ...	2400	0	0			
		CONTINGENCIES—£12,075.						
63	...	Postages and Private Letter Boxes and Telephone Rents ...	1100	0	0			
64	...	Stationery and office requisites ...	500	0	0			
65	...	Advertising ...	700	0	0			
66	...	Allowances and Travelling Expenses ...	1500	0	0			
67	...	Incidental Expenses ...	2000	0	0			
68	...	Minor Railway Freights ...	50	0	0			
		Carried forward ...	20438	0	0	920736	0	0

*Appropriation—1900-1.***COMMISSIONER OF RAILWAYS—(continued).**

Item No.	No. of Persons		£	s.	d.	£	s.	d.
		Brought forward	...			920736	0	0
		Public Works—continued.						
		General Division—continued.						
		Brought forward	...	20438	0 0			
		CONTINGENCIES—continued.						
69	...	Railway Fares	...	1000	0 0			
70	...	Telegrams and Cablegrams	...	50	0 0			
71	...	Materials for Cleaning Offices	...	75	0 0			
72	...	Field Instruments and Repairs	...	100	0 0			
73	...	Office accommodation rented	...	1000	0 0			
74	...	*Insurance Public Buildings, Marine Risks, etc.	...	4000	0 0			
		ENGINEERING DIVISION—						
		£122,390 6s. 8d.						
		SALARIES, FIXED—£2,460.						
75	1	Engineer-in-Chief	...	1500	0 0			
76	1	Assistant Superintendent of Public Works	...	500	0 0			
77	1	Shorthand and Correspondence Clerk	...	250	0 0			
78	1	Do do do	...	210	0 0			
		SALARIES, PROVISIONAL AND TEMPORARY—£4,973 6s. 8d.						
79	1	Junior Clerk and Typist	...	110	0 0			
80	1	Messenger	...	40	0 0			
81	1	Do	...	40	0 0			
		Roads and Bridges Works.						
		<i>(Also General Water Supply. Staff for latter provided on Loan Estimates.)</i>						
82	1	Engineer-in-Charge (also of General Water Supply)	...	100	0 0			
83	1	District Engineer	...	400	0 0			
84	1	Assistant Engineer	...	325	0 0			
85	1	Clerk	...	275	0 0			
86	1	Do. (Shorthand)	...	190	0 0			
87	1	Messenger and Junior Clerk	...	90	0 0			
88	1	Supervisor	...	220	0 0			
89	1	Do	...	180	0 0			
90	1	Do. 11 months at £200 per annum	...	183	6 8			
91	1	Draftsman	...	200	0 0			
		Carried forward	...	31476	6 8	920736	0	0

* Previously under "Public Buildings."

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	920736	0	0
		Public Works—continued.						
		Engineering Division—continued.						
		Brought forward	...	31476	6 8			
		Harbour and River Works.						
		(Exclusive of Fremantle Harbour Works.)						
		Engineer-in-Charge (also of Railway Construction).						
92	1	Resident Engineer	...	400	0 0			
93	1	Do.	...	325	0 0			
94	1	Assistant Engineer	...	230	0 0			
95	1	Clerk	...	210	0 0			
96	1	Do.	...	190	0 0			
97	1	Supervisor (Carnarvon)	...	200	0 0			
98	1	Do. (Ashburton)	...	190	0 0			
99	1	Do. (Derby)	...	190	0 0			
100	1	Draftsman	...	190	0 0			
101	1	Do.	...	200	0 0			
102	1	Junior Clerk	...	70	0 0			
		METROPOLITAN (PERTH AND FREMANTLE) WATER SUPPLY.						
		Engineer-in-Charge (also of Coolgardie Water Supply)						
103	1	Head Clerk	...	225	0 0			
		Roads and Bridges Works, £79,927.						
104	...	Roads and Bridges throughout the Colony	...	40000	0 0			
		BRIDGES—£12,230.						
105	...	Arthur River Bridge, at Moordiarup	...	540	0 0			
106	...	Arthur, Rebuilding Albany Road Bridge over Beaufort River	...	200	0 0			
107	...	Balingup Bridge over Blackwood River	...	460	0 0			
108	...	Bridgetown, Hampton Street Bridge over Rivulet	...	150	0 0			
109	...	Bunbury-Stirling Road, two small bridges	...	360	0 0			
110	...	Colliefields Bridge	...	280	0 0			
111	...	Collie River (2) Bridge on Preston Road	...	300	0 0			
112	...	Forrest Street (Cottesloe) Bridge over Railway	...	1000	0 0			
113	...	Fremantle Road Bridges (2)—Lighting and Maintenance	...	300	0 0			
114	...	Guildford, Helena River Bridge, including small temporary bridge	...	500	0 0			
115	...	Guildford, Barker's Bridge over Swan River	...	1500	0 0			
116	...	Greenhills, two small Bridges on Main Road	...	150	0 0			
117	...	Jalbaragup Bridge over Blackwood River and Approaches	...	520	0 0			
118	...	Marbellup Creek Bridge	...	130	0 0			
119	...	Napier Bridge, Repairs	...	270	0 0			
120	...	Nelson, Blackwood River Bridge, Repairs	...	150	0 0			
121	...	Northam, Gairdner Street, Avon River Bridge, Reconstruction	...	1700	0 0			
122	...	Perth Causeway—Lighting and Maintenance	...	350	0 0			
		Carried forward	...	82956	6 8	920736	0	0

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			920736	0	0
		Public Works—continued.						
		Engineering Division—continued.						
		Brought forward	82956	6	18			
		ROADS AND BRIDGES WORKS—continued.						
		BRIDGES—continued.						
123	..	Perth-Bunbury Road, Reconstructing Bridges	750	0	0			
124	..	Preston, Thompson's Brook Bridge	150	0	0			
125	..	Serpentine, Bridge on Main Road to No. 6 Mill	200	0	0			
126	..	Serpentine, Lakeman's Bridge on Jarrahdale Road	100	0	0			
127	..	Sinclair's Crossing Bridge	500	0	0			
128	..	Swan River, Survey for proposed Bridge at the Narrows	120	0	0			
129	..	Toodyay, Newcastle Town Bridge over Avon River, including small Temporary Bridge	1200	0	0			
130	..	Torbay Inlet Bridge	350	0	0			
		ROADS—£27,697.						
131	..	Balla Balla, Road or Tramway across Marsh to Mainland	300	0	0			
132	..	Bayswater, Approach Road to Railway Station from Main Road	100	0	0			
133	..	Bayswater, Main Road	250	0	0			
134	..	Bulong Mines to Town Boundary, Footpath	250	0	0			
135	..	Broad Arrow, Hill Street to Railway Station	350	0	0			
136	..	Bunbury, James Street Construction	500	0	0			
137	..	Bunbury, Main Roads leading into Municipality—Australind Road, £200; Minninup Road, £200; Dardanup Road, £200	600	0	0			
138	..	Busselton, Roads in Municipality	350	0	0			
139	..	Canning Road (Fremantle to Perth)	500	0	0			
140	..	Canning, Drainage of Wharf Street	150	0	0			
141	..	Claremont, Shenton Road, Extension to Beach	350	0	0			
142	..	Claremont, Footpath to Bay	100	0	0			
143	..	Claremont, Widening Bay View Terrace	250	0	0			
144	..	Collie, Main Road to Williams	250	0	0			
145	..	Collie District, Special Grant, General Purposes	250	0	0			
146	..	Cossack, Approach Road to Magazine	100	0	0			
147	..	Cossack, Bonded Store, Approach Road	110	0	0			
148	..	Cottesloe, Victoria Street to Point Chidley Reserve	230	0	0			
149	..	Cottesloe, Ocean Street Construction	300	0	0			
150	..	Cottesloe, Broome Street Construction	150	0	0			
151	..	Cottesloe, Warton Street	200	0	0			
152	..	Dardanup, Opening New Roads	150	0	0			
153	..	Donnybrook, Main Road to Goldfields, including Emerald Street, Crendon Road, and Bridge over Nounyup Brook	1150	0	0			
154	..	Fremantle, Main Rockingham Road	400	0	0			
155	..	Fremantle North, Point Direction Road	150	0	0			
156	..	Forrest Road via Lake Bibra (Fremantle to Jandakot)	750	0	0			
		Carried forward	94566	6	8	920736	0	0

Appropriation—1900—1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	920736	0	0
Public Works—continued.								
Engineering Division—continued.								
		Brought forward	...	94566	6 8			
ROADS AND BRIDGES WORKS—continued.								
ROADS—continued.								
157	...	Geraldton, Narra Tarra Road	...	300	0 0			
158	...	Geraldton, Road to Sea	...	100	0 0			
159	...	Gooseberry Hill Road	...	100	0 0			
160	...	Gracemere and Marbellup Roads	...	200	0 0			
161	...	Greenough, Georgina Road	...	150	0 0			
162	...	Greenough, Gregory Road	...	150	0 0			
163	...	Guildford Road between Meadows and Waylen Streets and through Stirling Square	...	210	0 0			
164	...	Gingin, Robinson Street	...	150	0 0			
165	...	Kalgoorlie, Asphalted Front of Public Buildings	...	420	0 0			
166	...	Kalgoorlie, Hannans Street Extension	...	250	0 0			
167	...	Kalgoorlie, Road to Sanitary Depot, through Municipality and Roads Boards Districts	...	250	0 0			
168	...	Kalgoorlie, Maritana Street (between Egan Street and Boundary)	...	200	0 0			
169	...	Kalgoorlie, Bulong Road, Repairs	...	500	0 0			
170	...	Kalgoorlie, Boulder Road through Kalgoorlie and Boulder Municipalities and Kalgoorlie Roads Board Districts	...	500	0 0			
171	...	Kalgoorlie, Boulder and Mines Road	...	500	0 0			
172	...	Kalgoorlie, Brown Hill Road	...	500	0 0			
173	...	Leederville-Perth Drain—constructing in Leederville (£500), widening in Perth (£200)	...	700	0 0			
174	...	Lower Gascoyne, Coborin to Dooramarrah Road	...	200	0 0			
175	...	Main Road to Lake Way	...	750	0 0			
176	...	Menzies, Roads in Municipality	...	300	0 0			
177	...	Middle Swan Bridge, Approach Roads	...	100	0 0			
178	...	Mount Magnet-Paynesville Road	...	10	0 0			
179	...	Murray, Pinjarrah-Mandurah Road	...	300	0 0			
180	...	Northampton, Geraldine-Murchison Road	...	200	0 0			
181	...	Norseman, Streets in Townsite	...	500	0 0			
182	...	Nelson, Culverts on Road between Ballingup and Lower Blackwood	...	100	0 0			
183	...	North Perth, Wanneroo Road through North Perth and Perth Roads Boards Districts	...	500	0 0			
184	...	Perth-Albany Road through Victoria Park, Canning, and Kelmscott Districts	...	600	0 0			
185	...	Perth-Fremantle Road Maintenance	...	1000	0 0			
186	...	Perth to Guildford Main Road	...	750	0 0			
187	...	Perth Park Circular Road	...	1500	0 0			
188	...	Perth, half cost construction of George Street	...	195	0 0			
		Carried forward	...	106751	6 8	920736	0	0

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			920736	0	0
		Public Works—continued.						
		Engineering Division—continued.						
		Brought forward ...	106751	6	8			
		ROADS AND BRIDGES WORKS—continued.						
		ROADS—continued.						
189	...	Perth, Wood-blocking Wellington Street and Barrack Street (half cost) ...	2000	0	0			
190	...	Perth, Vincent Street ...	500	0	0			
191	...	Port Hedland Causeway Repairs ...	1000	0	0			
192	...	Plantagenet, Porongerup-Mt. Barker Road ...	150	0	0			
193	...	Paddington, Road from Railway Station to Post Office ...	100	0	0			
194	...	Roebourne, Cossack-Roebourne Road Maintenance ...	300	0	0			
195	...	Roebourne, Harding River Crossing ...	250	0	0			
196	...	Roebourne, Repairing Damage done by Floods on Road to Cossack ...	275	0	0			
197	...	Subiaco, Approach Road to Railway Station ...	297	0	0			
198	...	Subiaco, Broome Road Widening ...	250	0	0			
199	...	Sussex, Quindalup Road ...	200	0	0			
200	...	Sussex, Margaret Road ...	150	0	0			
201	...	Swan Road between Chittering Road and Bull's Brook Siding, including Small Bridge ...	300	0	0			
202	...	Victoria Plains, Koojan-Moora Road ...	250	0	0			
203	...	Victoria Park, Suburban Road Repairs ...	250	0	0			
204	...	Woodman's Point, Roads in Quarantine Area and connecting Main Road ...	250	0	0			
205	...	Yalgoo Roads to Field's Find ...	100	0	0			
206	...	York, Quellington Road to Burges Siding ...	400	0	0			
207	...	Wyndham, Bastion Road ...	250	0	0			
		Harbour and River Works—£8,900.						
		(Excepting Fremantle Harbour Works.)						
208	...	Additions and Repairs to Jetties, Stock Yards, and River Improvements ...	1500	0	0			
209	...	Broome, Cattle Yards ...	300	0	0			
210	...	Carnarvon, Stock Yards to New Jetty ...	600	0	0			
211	...	Derby, Wool Shed ...	750	0	0			
212	...	Derby Cattle Yards, additional Fencing and Earthworks ...	250	0	0			
213	...	Dongara Jetty Extension ...	1500	0	0			
214	...	Geraldton, Esplanade and Improvements to Old Railway Station ...	250	0	0			
215	...	Mary Ann Harbour, Survey ...	75	0	0			
216	...	Mary Ann Harbour, Boat, Jetty, and Small Goods Shed ...	1000	0	0			
217	...	North Fremantle, Jetty, Harvest Street ...	300	0	0			
218	...	Port Hedland, Small Goods Shed at foot of New Jetty ...	700	0	0			
219	...	Preston River, Snagging ...	100	0	0			
		Carried forward ...	121348	6	8	920736	0	0

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			920736	0	0
		Public Works—continued.						
		Engineering Division—continued.						
		Brought forward ...	121848	6	8			
		HARBOUR AND RIVER WORKS—continued.						
220	...	Plant.—Cranes, Grabs, Pile Drivers, Buoys, Mooring Chains, Anchors, Tugs, Punts, Tools, Rails, Tipping, Discharge Pipes and Pontoons, and Sundry ...	250	0	0			
221	...	Woodman's Point, Quarantine Jetty and Tramway ...	500	0	0			
222	...	*Tramways on North-West Coast, Maintenance, Rolling Stock, etc. ...	750	0	0			
223	...	Hauling up privately owned vessels on Fremantle slip ...	75	0	0			
		General Water Supply Works—£24,270.						
		<i>(Provision for Staff and Construction Works made on Loan Estimates.)</i>						
		WAGES, PROVISIONAL AND TEMPORARY—£4,750.						
224	...	Eastern Goldfields—Wages of Caretakers, Yardsmen, Drivers, etc. ...	3500	0	0			
225	...	Murchison and Peak Hill Goldfields do. ...	750	0	0			
226	...	Pilbarra Goldfields do. ...	300	0	0			
227	...	Other Goldfields ...	200	0	0			
		CONTINGENCIES—£6,000.						
228	...	Eastern Goldfields—Upkeep of Bores, Condensers, Clay- pans, Lagoons, Reservoirs, Soaks, Tanks, Roads, etc.	2500	0	0			
229	...	Murchison and Peak Hill Goldfields do. ...	2000	0	0			
230	...	Pilbarra Goldfields do. ...	900	0	0			
231	...	Other Goldfields ...	100	0	0			
232	...	Stock Routes—General Maintenance ...	500	0	0			
		OTHER SERVICES—£10,050.						
233	...	Maintenance of Water Supplies ...	200	0	0			
234	...	Broome, Stock Jetty Water Supply ...	250	0	0			
235	...	Derby Water Supply ...	1500	0	0			
236	...	Greenbushes do. ...	100	0	0			
237	...	Maintenance of Boring Plants ...	1000	0	0			
238	...	Water Supply and Boring generally ...	1250	0	0			
239	...	Wyndham, Water Supply Boring ...	1000	0	0			
240	...	Yardarino (West Dongara) Water Supply Boring ...	1500	0	0			
241	...	Prospecting for Coal, Albany ...	300	0	0			
242	...	Wyndham Water Supply Residency Well, 3-mile and 80-mile Well Repairs, etc. ...	400	0	0			
243	...	Bulong Water Supply, Fire Brigade ...	200	0	0			
244	...	Carnarvon, Boring for Water ...	750	0	0			
245	...	Do. Well on Road to Wooramels ...	200	0	0			
		Carried forward ...	142328	6	8	920736	0	0

* Re-voted under heading "Harbours and Rivers."

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.				£	s.	d.
		Brought forward	...	...	920736	0	0
		Public Works—continued.					
		Engineering Division—continued.					
		Brought forward	...	142323	6	8	
		OTHER SERVICES—continued.					
246	...	Cue Water Supply Reticulation	...	500	0	0	
247	...	Kanowna Water Supply, Fire Prevention	...	250	0	0	
248	...	Nonga and other Agricultural Areas, Boring for Water	...	300	0	0	
249	...	Woodanilling Tank	...	100	0	0	
250	...	Moora Agricultural Area—Construction of Dam	...	250	0	0	
		FREMANTLE WATER SUPPLY—£3,470.					
		SALARIES, PROVISIONAL AND TEMPORARY—£2,570.					
251	1	Superintendent	...	300	0	0	
252	1	Bookkeeper	...	190	0	0	
253	1	Clerk	...	170	0	0	
254	1	Clerk and Typist	...	110	0	0	
255	1	Head Engine-driver	...	200	0	0	
256	1	Collector	...	150	0	0	
257	...	Wages of Mechanics, etc.	...	1450	0	0	
		CONTINGENCIES—£900.					
258	...	Materials, Upkeep, Services to Houses, &c.	...	900	0	0	
		ENGINEERING SURVEYS AND RAILWAY CONSTRUCTION—£1,860.					
		<i>(Provision for Staff and other Construction Works made on Loan Estimates.)</i>					
259	...	Land Resumption Surveys and Plans on opened lines	...	300	0	0	
260	...	Miscellaneous Surveys	...	350	0	0	
261	...	Collie Coalfields Railway—Land Resumption	...	500	0	0	
262	...	Owen's Anchorage Railway—Land Resumption	...	60	0	0	
263	...	Bridgetown Railway—Land Resumption	...	300	0	0	
264	...	York-Greenhills Railway—Land Resumption	...	250	0	0	
265	...	Owen's Anchorage Magazine Siding from Railway	...	100	0	0	
		Total Public Works	...		149053	6	8
		Carried forward	...		1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	1069789	6	8
PUBLIC BUILDINGS.								
ARCHITECTURAL DIVISION.								
SALARIES, FIXED—£2,000.								
HEAD OFFICE.								
1	1	Superintendent of Public Buildings	...	...	700	0	0	
2	1	Government Electrician	...	...	350	0	0	
3	1	Principal Clerk	...	...	300	0	0	
CHIEF INSPECTOR OF WORKS' OFFICE.								
4	1	Chief Inspector of Works	...	...	450	0	0	
5	1	Sanitary Supervisor	...	...	200	0	0	
SALARIES, PROVISIONAL AND TEMPORARY— £12,606 13s. 4d.								
HEAD OFFICE.								
Accounts.								
6	1	Bookkeeper	...	...	260	0	0	
7	1	Clerk	...	...	190	0	0	
8	1	Clerk	...	...	160	0	0	
9	1	Junior Clerk	...	...	120	0	0	
Clerical.								
10	1	Shorthand Clerk (Correspondence)	...	...	225	0	0	
11	1	Clerk (Returns, etc.)	...	...	180	0	0	
12	1	Clerk	...	...	120	0	0	
13	1	Do. (Despatch)	...	...	150	0	0	
14	1	Clerk (Electrician's Office)	...	...	120	0	0	
15	1	Principal Typist	...	...	130	0	0	
16	1	Office Boy	...	...	60	0	0	
CHIEF ARCHITECT'S OFFICE.								
General.								
17	1	Chief Architect	...	...	650	0	0	
18	1	Assistant Architect	...	...	300	0	0	
Drafting.								
19	1	1st Class Draftsman	...	...	270	0	0	
20	1	Do. do.	...	...	270	0	0	
21	1	Do. do.	...	...	260	0	0	
22	1	Do. do.	...	...	115	0	0	
		Carried forward	...	...	5580	0	0	1069789 6 8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	5580	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—continued.						
		CHIEF ARCHITECT'S OFFICE—continued.						
23	1	1st Class Draftsman ...	230	0	0			
24	1	2nd Class do. ...	210	0	0			
25	1	Do. do. ...	210	0	0			
26	1	Do. do. ...	200	0	0			
27	1	Do. do. ...	66	13	4			
28	1	Do. do. ...	200	0	0			
29	1	3rd Class do. ...	196	0	0			
30	1	Do. do. ...	190	0	0			
31	1	Do. do. ...	57	6	8			
32	1	Junior do. ...	120	0	0			
33	1	Do. do. ...	100	0	0			
		<i>Specifications.</i>						
34	1	Specification Writer ...	250	0	0			
		<i>Quantities.</i>						
35	1	Quantities Clerk ...	66	13	4			
		<i>Clerical, etc.</i>						
36	1	Shorthand and Typing Clerk ...	210	0	0			
37	1	Clerk (Certificates and Accounts) ...	210	0	0			
38	1	Typist ...	90	0	0			
		CHIEF INSPECTOR'S OFFICE.						
		<i>General.</i>						
39	1	Principal Assistant Inspector of Works ...	300	0	0			
40	1	Assistant Inspector of Works ...	270	0	0			
41	1	Do. do. ...	210	0	0			
42	1	Do. do. ...	210	0	0			
		<i>Drafting.</i>						
43	1	1st Class Draftsman ...	270	0	0			
44	1	2nd Class do. ...	225	0	0			
45	1	Specification Writer ...	180	0	0			
46	1	2nd Class Draftsman ...	180	0	0			
47	1	Junior do. ...	140	0	0			
		<i>Clerical, etc.</i>						
48	1	Shorthand Clerk ...	225	0	0			
49	1	Clerk (Authorities) ...	210	0	0			
		Carried forward ...	10606	13	4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	10606	13	4			
		SALARIES, PROVISIONAL AND TEMPORARY—continued.						
		CHIEF INSPECTOR'S OFFICE—continued.						
		Clerical, etc.						
50	1	Junior Clerk ...	110	0	0			
51	1	Typist ...	110	0	0			
52	1	Office Boy ...	50	0	0			
		GOLDFIELDS AND N.W. OFFICES.						
		General.						
53	1	Resident Officer, Coolgardie Goldfields ...	330	0	0			
54	1	Do. Murchison Goldfields ...	300	0	0			
55	1	Do. North-West Coast and Pilbarra ...	275	0	0			
		Clerical, Drafting, etc.						
56	1	Draftsman and Clerk (Coolgardie Office) ...	160	0	0			
57	1	Do. do. (Murchison Office) ...	140	0	0			
		Supervision.						
58	1	1st Class Supervisor (Goldfields) ...	225	0	0			
59	1	Do. do. do. ...	225	0	0			
		DISTRICT OFFICES.						
60	1	District Officer (Albany) ...	275	0	0			
61	1	Junior Clerk ...	40	0	0			
		GENERAL SUPERVISION.						
		(Exclusive of Goldfields and N.W.)						
62	1	Inspecting Officer ...	300	0	0			
63	1	Clerk of Works (Supreme Court, 6 mos. at £400 p.a.)...	200	0	0			
64	1	1st Class Supervisor ...	200	0	0			
65	1	Do. do. ...	200	0	0			
66	1	Do. do. ...	200	0	0			
67	1	Do. do. ...	200	0	0			
68	1	2nd Class Supervisor ...	180	0	0			
69	1	Do. do. ...	180	0	0			
		CADETS.						
70	...	Cadets ...	100	0	0			
		Carried forward ...	14606	13	4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	1069789	6	8
Public Buildings—continued.								
Architectural Division—continued.								
		Brought forward	...	14606	13	4		
BUILDINGS AND OTHER SERVICES FOR THE COLONIAL SECRETARY'S DEPARTMENT—£23,990.								
<i>Hospitals and Quarantine Stations, £16,950.</i>								
71	...	Additions and Repairs to existing Buildings	...	2500	0	0		
72	...	Broome Hospital and Quarters	...	750	0	0		
73	...	Bridgetown Hospital, additions	...	200	0	0		
74	...	Bunbury Hospital	...	150	0	0		
75	...	Bunbury Hospital, Nurses' Quarters	...	300	0	0		
76	...	Bunbury Hospital, Septic Tank	...	250	0	0		
77	...	Fremantle Lunatic Asylum, Fire Protection, Drainage, Ventilation, etc.	...	100	0	0		
78	...	Fremantle Asylum, Refractory Cells	...	200	0	0		
79	...	Fremantle Hospital Cells	...	200	0	0		
80	...	Invalid Depôt for Old Men, Whitby	...	1500	0	0		
81	...	Kalgoorlie Hospital, Nurses' Quarters, and Administration Offices	...	1000	0	0		
82	...	Mt. Morgan Hospital	...	500	0	0		
83	...	Mt. Malcolm Hospital, Additions	...	500	0	0		
84	...	Perth Hospital, Electric Lighting	...	200	0	0		
85	...	Perth Female Home, Repairs	...	300	0	0		
86	...	Perth Public Hospital, Repairs, Painting, and Fencing	...	300	0	0		
87	...	Whitby Auxiliary Lunatic Asylum, Additions and Water Supply	...	1000	0	0		
88	...	Whitby Lunatic Asylum	...	2000	0	0		
89	...	Woodman's Point Quarantine Station	...	1000	0	0		
90	...	Woodman's Point Bubonic Plague Buildings	...	4000	0	0		
<i>Gaols and Quarters, £3,550.</i>								
91	...	Additions and Repairs to Existing Buildings	...	500	0	0		
92	...	Derby Gaol	...	500	0	0		
93	...	Eastern Goldfields Gaol	...	500	0	0		
94	...	Fremantle Prison, and Warders' Quarters, General Repairs	...	1000	0	0		
95	...	Fremantle Prison Workshops	...	500	0	0		
96	...	Fremantle Prison, Sanitary Drainage and Septic Tank	...	300	0	0		
97	...	Fremantle Prison, Fire Prevention	...	250	0	0		
<i>Industrial Schools, etc., £500.</i>								
98	...	Additions and Repairs to Existing Buildings	...	200	0	0		
99	...	Subiaco Industrial Schools, New Dining Room and Kitchen	...	300	0	0		
		Carried forward	...	36606	13	4	1069789	6 8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	36606	13	4			
		BUILDINGS AND OTHER SERVICES FOR THE COLONIAL SECRETARY'S DEPARTMENT—continued.						
		<i>Libraries, Museums, Observatories, etc., £2,290.</i>						
100	...	Additions and Repairs to Existing Buildings...	200	0	0			
101	...	Fremantle Time Ball, with Wire from Lighthouse to Observatory ...	450	0	0			
102	...	Perth Observatory, including Instruments and erection thereof, Furniture, and Astronomical Buildings ...	150	0	0			
103	...	Perth Museum (Fittings) ...	400	0	0			
104	...	Perth Observatory, Fencing and Laying Out Grounds ...	90	0	0			
105	...	Victoria Public Library and Museum, Additional Accommodation ...	1000	0	0			
		<i>Government Houses, £400.</i>						
106	...	Additions and Repairs to Existing Buildings...	400	0	0			
		<i>Magistrates' Residences, etc., £300.</i>						
107	...	Additions and Repairs to Existing Buildings...	300	0	0			
		BUILDINGS AND OTHER SERVICES FOR THE COLONIAL TREASURER'S DEPARTMENT—£22,550.						
		<i>Lighthouses, Lighthouse Keepers', Pilot Crews' Quarters, etc., £1,750.</i>						
108	...	Additions and Repairs to Existing Buildings ...	750	0	0			
109	...	Fremantle Harbour Master's Crews' Quarters ...	1000	0	0			
		<i>Customs Bonded Stores, Explosive Magazines, etc., £3,550.</i>						
110	...	Additions and Repairs to Existing Buildings...	800	0	0			
111	...	Fremantle Government Store, Iron Racks, Weather Sheds, and other additions ...	600	0	0			
112	...	Fremantle, Ships' Passengers' Luggage Examination Sheds ...	230	0	0			
113	...	Geraldton, Customs Shed ...	120	0	0			
114	...	Geraldton, Customs House, Alterations and Additions ...	300	0	0			
115	...	Hamelin, Landing Waiters' Quarters ...	500	0	0			
116	...	Perth, Customs Building for Storage of Wine, etc., in bond (brick or stone) ...	500	0	0			
117	...	Port Hedland, Customs Office and Quarters ...	500	0	0			
		Carried forward ...	43896	13	4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	43896	13	4			
		BUILDINGS AND OTHER SERVICES FOR THE COLONIAL TREASURER'S DEPARTMENT—continued.						
		<i>Police Stations and Quarters, £15,200.</i>						
118	...	Additions and Repairs to Existing Buildings ...	2500	0	0			
119	...	Beverley Police Station, Alterations and Additions ...	350	0	0			
120	...	Boulder, Lockup, Additional Cells ...	300	0	0			
121	...	Burbanks Lockup, Quarters, Stabling and Forage Room ...	500	0	0			
122	...	Geraldton, New Lockup and Quarters ...	500	0	0			
123	...	Gingin, Stable and Forage Room ...	200	0	0			
124	...	Greenbushes Police Station ...	200	0	0			
125	...	Kalgoorlie, Stables ...	300	0	0			
126	...	Laverton, Lockup, Quarters and Stabling ...	500	0	0			
127	...	Marble Bar, Lockup and Quarters ...	300	0	0			
128	...	Miscellaneous Police Stations, Goldfields and elsewhere ...	500	0	0			
129	...	Mount Morgan, Lockup, Quarters and Stabling ...	750	0	0			
130	...	Mount Malcolm, Police Quarters ...	300	0	0			
131	...	Nullagine, Lockup and Stabling ...	500	0	0			
132	...	Peak Hill, Lockup, etc. ...	500	0	0			
133	...	Perth, Central Station Lockup ...	4000	0	0			
134	...	Perth, Central Station Stables ...	2000	0	0			
135	...	Weeloona (Lake Way), Lockup, Quarters and Stabling ...	1000	0	0			
		<i>Defences, £1,050.</i>						
136	...	Additions and Repairs to Existing Buildings... ..	200	0	0			
137	...	Fremantle Artillery Drill Hall, Additions, etc. ...	200	0	0			
138	...	Karrakatta Military Camp, Windmill and Tanks ...	50	0	0			
139	...	Perth Artillery Gun Shed ...	200	0	0			
140	...	Perth Infantry Drill Hall, Fittings ...	50	0	0			
141	...	Perth Arm Rack ...	100	0	0			
142	...	Perth Band Room ...	250	0	0			
		<i>Royal Mint, £1,000.</i>						
143	...	Perth Branch of Royal Mint ...	300	0	0			
144	...	Do. do. Acid Store ...	700	0	0			
		BUILDINGS AND OTHER SERVICES FOR THE ATTORNEY-GENERAL'S DEPARTMENT.						
		<i>Court Houses, £6,250.</i>						
145	...	Additions and Repairs to Existing Buildings... ..	850	0	0			
146	...	Boulder Police Court ...	100	0	0			
147	...	Colliefields Court House ...	100	0	0			
148	...	Katanning Court House—Retiring Room ...	200	0	0			
149	...	Perth Supreme Court ...	5000	0	0			
		Carried forward ...	67396	13	4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Person.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	67896	13	4			
		BUILDINGS AND OTHER SERVICES FOR THE POST AND TELEGRAPH DEPARTMENT.						
		<i>Post and Telegraph Offices, £22,050.</i>						
150	...	Additions and Repairs to Existing Buildings...	4000	0	0			
151	...	Abbott's Post Office ...	150	0	0			
152	...	Albany Post Office, raising Tower ...	300	0	0			
153	...	Boulder Post Office, Additions ...	1000	0	0			
154	...	Coolgardie Telegraph Office, Restoration ...	500	0	0			
155	...	Fremantle (East), Post and Telegraph Office ...	500	0	0			
156	...	Fremantle Post Office, Additions ...	800	0	0			
157	...	Grass Valley Post Office ...	150	0	0			
158	...	Guildford Post Office Clock, and raising Tower ...	250	0	0			
159	...	Israelite Bay, Water Supply along Telegraph Line ...	150	0	0			
160	...	Israelite Bay, Repairs and Alterations to Post Office ...	200	0	0			
161	...	Kalgoorlie Post Office Clock ...	200	0	0			
162	...	Lake Way Post Office ...	500	0	0			
163	...	Laverton Post Office, Additions ...	400	0	0			
164	...	Leonora Post Office and Quarters ...	500	0	0			
165	...	Mount Morgan Post Office... ..	500	0	0			
166	...	Mount Sir Samuel Post Office ...	500	0	0			
167	...	Murrin Murrin, Quarters ...	500	0	0			
168	...	Perth (Head Office) Additions ...	8000	0	0			
169	...	Perth (South) Post Office ...	700	0	0			
170	...	Perth (West) Post Office ...	900	0	0			
171	...	Phillips River Post Office ...	500	0	0			
172	...	Smith's Mill Post Office ...	450	0	0			
173	...	Warroona (Drakesbrook) Post Office... ..	50	0	0			
174	...	Walkaway Post Office, Additions ...	350	0	0			
		BUILDINGS AND OTHER SERVICES FOR THE MINES DEPARTMENT—£6,050.						
175	...	Additions and Repairs to Existing Buildings ...	1800	0	0			
176	...	Collie Coalfields, Registrar's Office and Quarters ...	700	0	0			
177	...	Kalgoorlie, Warden's Court and Mines Department and Offices ...	200	0	0			
178	...	Laverton, Offices ...	500	0	0			
179	...	Mount Malcolm, Inspector of Mines, Quarters ...	250	0	0			
180	...	Mount Malcolm, Warden's Residence ...	500	0	0			
181	...	Peak Hill, Warden's Quarters ...	1500	0	0			
182	...	Phillips River, Warden's Court and Offices ...	600	0	0			
		Carried forward ...	95496	13	4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward	...	95496	13 4			
		BUILDINGS FOR THE LANDS AND SURVEYS DEPARTMENT—£1,080.						
183	...	Lands Department, Strong Room Fittings	...	750	0 0			
184	...	Point Walter, Caretaker's Quarters	...	130	0 0			
185	...	Point Walter Water Supply	...	100	0 0			
186	...	Plan-Mounting Room, Lands Department	...	100	0 0			
		BUILDINGS AND OTHER SERVICES FOR THE EDUCATION DEPARTMENT—£54,565.						
		<i>Day Schools, £52,515.</i>						
187	...	Additions and Repairs to Existing Buildings	...	2800	0 0			
188	...	Albany School, Additions	...	850	0 0			
189	...	Armadale, School and Quarters	...	500	0 0			
190	...	Bayswater School, Additions and Quarters	...	600	0 0			
191	...	Beaconsfield School, Additions	...	1200	0 0			
192	...	Beaconsfield Infants' School, Additions	...	450	0 0			
193	...	Beverley School, Additions and Alterations	...	150	0 0			
194	...	Boulder Infants' School, Additions	...	400	0 0			
195	...	Boulder School, Additions	...	2500	0 0			
196	...	Boulder Mines (Lake View), Removal of School from Boulder	...	500	0 0			
197	...	Boulder Mines, School Quarters	...	200	0 0			
198	...	Bindoon, School and Quarters	...	200	0 0			
199	...	Bindoon North, School	...	300	0 0			
200	...	Bridgetown, School Quarters	...	150	0 0			
201	...	Brown Hill Residence Area, Quarters	...	200	0 0			
202	...	Bull's Brook (Chittering), School and Quarters	...	300	0 0			
203	...	Burbanks School, Additions	...	500	0 0			
204	...	Brown Hill Residence Area, School	...	2000	0 0			
205	...	Broome School	...	270	0 0			
206	...	Busselton, New School and conversion of old Building into Quarters	...	500	0 0			
207	...	Bunbury, Alterations to School Buildings	...	500	0 0			
208	...	Clackline, School	...	50	0 0			
209	...	Cookernup School, Additions	...	20	0 0			
210	...	Colliefields School, Teacher's Quarters	...	20	0 0			
211	...	Cartimeticup School	...	300	0 0			
212	...	Cuballing, School Quarters	...	200	0 0			
213	...	Cottesloe School Quarters	...	250	0 0			
214	...	Cottesloe Infant's School, Hall and Room	...	400	0 0			
215	...	Coolgardie School, Additions	...	600	0 0			
216	...	Claremont School, Additions and Alterations	...	500	0 0			
		Carried forward	...	113986	13 4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	113986	13	4			
		BUILDINGS AND OTHER SERVICES FOR THE EDUCATION DEPARTMENT—continued.						
217	...	Dongara School, new Building ...	400	0	0			
218	...	Donnybrook School, Additions and Alterations ...	500	0	0			
219	...	Fremantle Girls' and Infants' School ...	5000	0	0			
220	...	Fremantle Boys' School, Additions ...	500	0	0			
221	...	Fremantle, North, School, Additions ...	200	0	0			
222	...	Guildford School and Quarters, Additions ...	300	0	0			
223	...	Greenbushes School ...	50	0	0			
224	...	Greenbushes School, Additions ...	50	0	0			
225	...	Greenbushes School, Teacher's Quarters ...	50	0	0			
226	...	Grass Valley School, Teacher's Quarters ...	300	0	0			
227	...	Geraldton School, Additions ...	500	0	0			
228	...	Geraldton, School Quarters ...	500	0	0			
229	...	Gingin, School Quarters ...	400	0	0			
230	...	Gwalia, School ...	500	0	0			
231	...	Highgate, Infants' School Additions ...	500	0	0			
232	...	Harvey, School and Quarters ...	350	0	0			
233	...	Improvements to Playgrounds ...	1500	0	0			
234	...	Jarrahdale School and Quarters, Additions ...	300	0	0			
235	...	Kalgoorlie Infants' School and Additions ...	200	0	0			
236	...	Kalgoorlie School, Additions ...	800	0	0			
237	...	Kalgoorlie, North, School ...	500	0	0			
238	...	Kojonup Road School and Quarters ...	150	0	0			
239	...	Kookynie, School ...	600	0	0			
240	...	Lake Way, School and Quarters ...	500	0	0			
241	...	Lawler's, School and Quarters ...	500	0	0			
242	...	Leederville (West), School Quarters ...	250	0	0			
243	...	Lennonville School, Teacher's Quarters ...	250	0	0			
244	...	Mandurah School ...	100	0	0			
245	...	Midland Junction, School Quarters ...	450	0	0			
246	...	Midland Junction, Shelter Sheds, and shifting old Quarters ...	250	0	0			
247	...	Midland Junction School, Additions ...	250	0	0			
248	...	Miscellaneous Schools and Quarters ...	1000	0	0			
249	...	Mourambine School ...	50	0	0			
250	...	Narrogin School, Teacher's Quarters ...	380	0	0			
251	...	Newcastle School, Additions and New Quarters ...	150	0	0			
252	...	North Fremantle, Infants' School ...	600	0	0			
253	...	Northam School and Quarters, Additions ...	1500	0	0			
254	...	Norseman, School Quarters ...	500	0	0			
255	...	Perth, Newcastle Street, School Additions ...	250	0	0			
256	...	Perth (Central) Infants' School, Additions ...	300	0	0			
		Carried forward ...	135416	13	4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	135416	13	4			
		BUILDINGS AND OTHER SERVICES FOR THE EDUCATION DEPARTMENT—continued.						
257	...	Perth (East) Infants' School, Hall and Class Room ...	250	0	0			
258	...	Perth, East, School Additions ...	300	0	0			
259	...	Perth Boys' and Girls' Schools, Additions and Improve- ments ...	225	0	0			
260	...	Plympton Infants' School, Additions ...	900	0	0			
261	...	Plympton, School Quarters ...	250	0	0			
262	...	Plympton School, Additions ...	500	0	0			
263	...	Quindanning, School Quarters ...	300	0	0			
264	...	Subiaco School, Additions ...	500	0	0			
265	...	Subiaco Infants' School, Hall and Class Room ...	850	0	0			
266	...	Training College, Claremont ...	7000	0	0			
267	...	Wagerup School, Additions ...	400	0	0			
268	...	Wagin School ...	50	0	0			
269	...	Wedgicarrup (near Wagin) School and Quarters ...	150	0	0			
270	...	Westbrook, School ...	300	0	0			
271	...	White Gum Valley, School ...	850	0	0			
272	...	Woodville School, Quarters ...	250	0	0			
273	...	York Infants' School, Alterations and Additions ...	600	0	0			
		<i>Technical School—£2,050.</i>						
274	...	Physical Laboratory ...	450	0	0			
275	...	Lecture Room ...	300	0	0			
276	...	Cloak Room and Lavatory, Laundry, etc. ...	100	0	0			
277	...	Extension of Metal Working Shop ...	175	0	0			
278	...	Metallurgical Work—Experimental Plant, etc. ...	250	0	0			
279	...	Do. Power for Plant and Lathe ...	175	0	0			
280	...	Do. Chemical Laboratory ...	400	0	0			
281	...	Do. Fitting and Equipment... ...	200	0	0			
		BUILDINGS AND SERVICES NOT CLASSIFIED UNDER ANY SPECIFIED DEPARTMENT—£10,250.						
282	...	Additions and Repairs to Public Buildings not otherwise provided for ...	1800	0	0			
283	...	Barracks, Adaptation to Office Requirements ...	250	0	0			
284	...	Barracks, Reserve, Fencing ...	200	0	0			
285	...	Barracks Reserve, Improvements ...	200	0	0			
286	...	Central Government Offices, including Strong Room and Additions for Lands Department ...	1500	0	0			
		Carried forward ...	155091	13	4	1069789	6	8

Appropriation—1900-1.

COMMISSIONER OF RAILWAYS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	155091	13	4			
		BUILDINGS AND SERVICES NOT CLASSIFIED UNDER ANY SPECIFIED DEPARTMENT—continued.						
287	...	Coolgardie Public Buildings, Fencing Reserve ...	250	0	0			
288	...	Government Printing Office, Lift, and Electric Light, etc. ...	1000	0	0			
289	...	Land Titles' Office, Extra Strong Room and Fittings ...	1500	0	0			
290	...	Land Titles' Department, Warming and Lighting of Strong Rooms ...	200	0	0			
291	...	Legislative Council Chamber, Improvements ...	2500	0	0			
292	...	Lithographic Office, Additions ...	100	0	0			
293	...	Marble Bar, Public Buildings, Cyclone Repairs ...	200	0	0			
294	...	Pilbarra, Office for Water Supply ...	250	0	0			
295	...	Refrigerating Works, Additions and Annual Overhaul ...	300	0	0			
		GRANTS-IN-AID FOR MUNICIPAL AND OTHER BUILD- INGS—£9,875.						
296	...	Armadale Mechanics' Institute ...	250	0	0			
297	...	Belmont Agricultural Hall ...	100	0	0			
298	...	Bovanup Agricultural Hall ...	50	0	0			
299	...	Bulong Miners' Institute ...	125	0	0			
300	...	Boulder Mechanics' Institute ...	300	0	0			
301	...	Brunswick Agricultural Hall ...	50	0	0			
302	...	Bonnievale Miner's Institute ...	150	0	0			
303	...	Bridgetown Mechanics' Institute ...	200	0	0			
304	...	Bunbury Mechanics' Institute ...	500	0	0			
305	...	Busselton Municipal Buildings, Additions ...	250	0	0			
306	...	Colliedfields Miners' Institute ...	250	0	0			
307	...	Coogee Agricultural Hall ...	60	0	0			
308	...	Claremont Municipal Buildings ...	225	0	0			
309	...	Cookernup Agricultural Hall ...	50	0	0			
310	...	Coralup Agricultural Hall ...	250	0	0			
311	...	Derby Mechanics' Institute ...	250	0	0			
312	...	Donnybrook Agricultural Hall, Conversion into Mecha- nics' Institute ...	100	0	0			
313	...	East Fremantle Town Hall ...	250	0	0			
314	...	Field's Find Miners' Institute ...	100	0	0			
315	...	Guildford Municipal Buildings ...	150	0	0			
316	...	Goongarrie Miners' Institute ...	100	0	0			
317	...	Geraldton Fire Brigade Building ...	150	0	0			
318	...	Greenbushes Miners' Institute ...	250	0	0			
319	...	Helena Vale Mechanics' Institute ...	150	0	0			
320	...	Jandakot Agricultural Hall ...	30	0	0			
321	...	Kalgoorlie Trades' Hall ...	300	0	0			
		Carried forward ...	166031	13	4	1069789	6	8

*Appropriation—1900-1.***COMMISSIONER OF RAILWAYS—(continued).**

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			1069789	6	8
		Public Buildings—continued.						
		Architectural Division—continued.						
		Brought forward ...	166031	13	4			
		GRANTS IN AID FOR MUNICIPAL AND OTHER BUILDINGS—continued.						
322	...	Kanowna Public Library Building ...	200	0	0			
323	...	Kookynie Miners' Institute ...	250	0	0			
324	...	Kojonup Agricultural Hall ...	250	0	0			
325	...	Katanning Mechanics' Institute ...	150	0	0			
326	...	Lennonville Mechanics' Institute...	250	0	0			
327	...	Menzies Municipal Buildings ...	250	0	0			
328	...	Mount Sir Samuel Miners' Institute ...	250	0	0			
329	...	Mulline Miners' Institute ...	250	0	0			
330	...	Mundaring Agricultural Hall ...	250	0	0			
331	...	Narrogin Agricultural Hall ...	150	0	0			
332	...	North Fremantle Municipal Buildings ...	500	0	0			
333	...	North Greenbushes Mechanics' Institute ...	150	0	0			
334	...	Northam Town Hall ...	250	0	0			
335	...	Paddington Mechanics' Institute ...	100	0	0			
336	...	South Perth Mechanics' Institute ...	200	0	0			
337	...	Wagin Mechanics' Institute ...	250	0	0			
338	...	Walkaway Agricultural Hall ...	250	0	0			
339	...	Wedgicarrup Agricultural Hall ...	250	0	0			
340	...	Weeloona Miners' Institute ...	250	0	0			
341	...	Wonnerup Agricultural Hall ...	35	0	0			
342	...	Woodanilling Agricultural Hall ...	250	0	0			
343	...	York Mechanics' Institute... ..	500	0	0			
		FURNITURE FOR PUBLIC BUILDINGS—£3,950.						
344	...	Furniture for Government House ...	300	0	0			
345	...	Do. Public Offices ...	3000	0	0			
346	...	Do. Hospitals and Asylums ...	650	0	0			
		FUEL, SANITARY CONTRACTS, ETC.—£7,450.						
347	...	Firewood and Collie Coal for Government Offices, Water Service, Gas, etc. ...	3000	0	0			
348	...	Sanitary Contracts, etc. ...	2500	0	0			
349	...	Incinerators and Destructors ...	250	0	0			
350	...	Fire Prevention Appliances for Public Buildings generally ...	400	0	0			
351	...	Sanitary Improvements to Public Buildings ...	300	0	0			
352	...	Disinfectors, Erection ...	1000	0	0			
		Total Public Buildings ...				182666	13	4
		Total Commissioner of Railways ...				1252456	0	0
		Amount brought forward from Total to COLONIAL TREASURER ...				364120	15	10
		Amount carried forward to Total COMMISSIONER OF CROWN LANDS ...				1616576	15	10

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
LANDS AND SURVEYS.								
SALARIES, FIXED—£17,561 13s. 4d.								
		Commissioner of Crown Lands (Civil List).						
1	1	Under Secretary for Lands	600	0	0			
2	1	Chief Clerk	425	0	0			
3	1	Clerk	300	0	0			
DIVISION I.—CORRESPONDENCE.								
4	1	Correspondence Clerk	290	0	0			
5	1	Registrar	260	0	0			
6	1	Clerk	190	0	0			
7	1	Shorthand Clerk	200	0	0			
8	1	Do.	180	0	0			
9	1	Clerk	140	0	0			
10	1	Do.	120	0	0			
11	1	*Do.	120	0	0			
DIVISION II.—REVENUE AND STATISTICS.								
12	1	Collector of Land Revenue... ..	350	0	0			
13	1	Accountant	285	0	0			
14	1	Clerk	190	0	0			
15	1	Statistical Clerk	210	0	0			
16	1	*Assistant Accountant	170	0	0			
DIVISION III.—LAND SALES AND REGISTRY.								
17	1	Head of Division	325	0	0			
18	1	Clerk	190	0	0			
19	1	Do.	180	0	0			
20	1	Do.	150	0	0			
21	1	*Do.	150	0	0			
DIVISION IV.—LAND SELECTION AND INQUIRY.								
22	1	Head of Division	325	0	0			
23	1	Draftsman and Clerk	260	0	0			
24	1	Do. do.	260	0	0			
25	1	Do. do.	240	0	0			
26	1	Do. do.	230	0	0			
27	1	Clerk	180	0	0			
28	1	Do. (3 months at £160, 9 months at £130)... ..	137	10	0			
DIVISION V.—ROADS AND RESERVES.								
29	1	Head of Division	325	0	0			
30	1	Clerk	210	0	0			
31	1	Draftsman and Clerk	200	0	0			
32	1	Do. do.	180	0	0			
33	1	Do. do.	160	0	0			
Carried forward ...			7732	10	0			

* Previously under Salaries, Provisional and Temporary.

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Lands and Surveys—continued.								
		Brought forward	...	7732	10	0		
SALARIES, FIXED—continued.								
DIVISION VI.—STORES AND MESSENGERS.								
34	1	Storekeeper	...	160	0	0		
35	1	Caretaker	...	130	0	0		
36	1	Messenger	...	60	0	0		
DIVISION VII.—LAND AGENCIES.								
37	1	Land Agent, Katanning	...	440	0	0		
38	1	Do. Albany	...	200	0	0		
39	1	Do. Northam	...	75	0	0		
DIVISION VIII.—INSPECTION OF LANDS AND IMPROVEMENTS.								
40	1	Chief Inspector	...	300	0	0		
41	1	Inspector	...	300	0	0		
42	1	*Draftsman and Clerk	...	160	0	0		
DIVISION IX.—SURVEYOR GENERAL.								
43	1	Surveyor General	...	600	0	0		
44	1	Chief Inspecting Surveyor	...	435	0	0		
45	1	Chief Draftsman	...	390	0	0		
46	1	Inspecting Surveyor	...	385	0	0		
47	1	Do.	...	370	0	0		
48	1	Do.	...	370	0	0		
49	1	*Do.	...	350	0	0		
50	1	Inspecting Draftsman	...	350	0	0		
51	1	Inspector of Plans	...	360	0	0		
52	1	Compiling Draftsman	...	275	0	0		
53	1	Draftsman	...	270	0	0		
54	1	Compiling Draftsman	...	260	0	0		
55	1	Draftsman	...	240	0	0		
56	1	Do.	...	225	0	0		
57	1	Computer	...	225	0	0		
58	1	Deed Clerk	...	260	0	0		
59	1	Custodian of Plans	...	220	0	0		
60	1	Computer (for two months at £220 per annum)	...	36	13	4		
61	1	Surveys Clerk	...	220	0	0		
62	1	Assistant Inspector of Plans	...	240	0	0		
63	1	Computer	...	190	0	0		
64	1	Draftsman	...	200	0	0		
65	1	Deed Clerk	...	200	0	0		
66	1	Deeds Draftsman	...	180	0	0		
67	1	Do.	...	180	0	0		
		Carried forward	...	16589	3	4		

* Previously under Salaries, Provisional and Temporary.

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Lands and Surveys—continued.								
		Brought forward ...	16589	3	4			
SALARIES, FIXED—continued.								
DIVISION IX.—SURVEYOR GENERAL—continued.								
68	1	Plan Mounter	170	0	0			
69	1	Draftsman	180	0	0			
70	1	Do.	160	0	0			
71	1	Do. (nine months at £150 per annum) ...	112	10	0			
72	1	Clerk	140	0	0			
73	1	Shorthand Clerk	140	0	0			
74	1	Junior Draftsman	70	0	0			
SALARIES, PROVISIONAL AND TEMPORARY— £15,579 16s. 4d.								
DIVISION I.—CORRESPONDENCE.								
75	1	Shorthand Clerk	170	0	0			
76	1	Do.	160	0	0			
77	1	Clerk	120	0	0			
78	1	Do.	110	0	0			
79	1	Do.	110	0	0			
80	1	Do.	90	0	0			
DIVISION II.—REVENUE AND STATISTICS.								
81	1	Clerk	130	0	0			
82	1	Do.	100	0	0			
83	1	Do.	90	0	0			
DIVISION III.—LAND SALES AND REGISTRY.								
84	1	Clerk	110	0	0			
85	1	Do.	90	0	0			
DIVISION IV.—LAND SELECTION AND INQUIRY.								
86	1	Draftsman and Clerk	190	0	0			
87	1	Do. do.	180	0	0			
88	1	Do. do.	140	0	0			
89	1	Do. do.	120	0	0			
90	1	Clerk	100	0	0			
91	1	Do.	100	0	0			
92	1	Do.	80	0	0			
DIVISION V.—ROADS AND RESERVES.								
93	1	Draftsman and Clerk	120	0	0			
94	1	Do. do.	70	0	0			
		Carried forward ...	19941	13	4			

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Lands and Surveys—continued.								
		Brought forward ...	19941	13	4			
SALARIES, PROVISIONAL AND TEMPORARY—continued.								
DIVISION VI.—STORES AND MESSENGERS.								
95	1	Store Assistant ...	70	0	0			
96	1	Messenger ...	60	0	0			
97	1	Do. ...	60	0	0			
DIVISION VII.—LAND AGENCIES.								
98	1	Land Agent, Beverley ...	50	0	0			
99	1	Do. Bridgetown ...	50	0	0			
100	1	Do. Bunbury ...	50	0	0			
101	1	Do. Esperance ...	25	0	0			
102	1	Do. Fremantle ...	25	0	0			
103	1	Do. Geraldton ...	40	0	0			
104	1	Do. Northampton ...	80	0	0			
105	1	Do. York ...	50	0	0			
106	1	Draftsman, Katanning ...	185	0	0			
107	1	Clerk do. ...	185	0	0			
108	1	Do. do. ...	60	0	0			
109	1	Land Agent, Kalgoorlie ...	50	0	0			
110	1	Clerk do. ...	130	0	0			
DIVISION VIII.—INSPECTION OF LANDS AND IMPROVEMENTS.								
111	1	Inspector ...	225	0	0			
112	1	Do. ...	200	0	0			
113	1	Do. ...	200	0	0			
114	1	Do. (Surveyor), 6 months, at £225 p.a. ...	112	10	0			
115	1	Do. Do. Do. ...	112	10	0			
116	1	Caretaker, Margaret Caves ...	50	0	0			
DIVISION IX.—SURVEYOR GENERAL.								
117	1	Road Surveyor ...	370	0	0			
118	1	Do. ...	370	0	0			
119	1	Surveyor ...	350	0	0			
120	1	Do. ...	280	0	0			
121	1	Do. ...	300	0	0			
122	1	Do. (10 months at £300 per annum) ...	250	0	0			
123	1	Do. (10 months at £280 per annum) ...	233	6	8			
124	1	Do. (3 months at 35s. per day) ...	161	0	0			
125	1	Draftsman ...	230	0	0			
126	1	Do. ...	200	0	0			
127	1	Do. ...	200	0	0			
128	1	Do. ...	190	0	0			
		Carried forward ...	25146	0	0			

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Lands and Surveys—continued.								
		Brought forward ...	25146	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—continued.								
DIVISION IX.—SURVEYOR GENERAL—continued.								
129	1	Draftsman (2 weeks) ...	7	3	0			
130	1	Computer (9 months at £180) ...	135	0	0			
131	1	Do. ...	200	0	0			
132	1	Do. ...	200	0	0			
133	1	Draftsman ...	190	0	0			
134	1	Computer ...	200	0	0			
135	1	Do. ...	200	0	0			
136	1	Do. ...	180	0	0			
137	1	Draftsman ...	190	0	0			
138	1	Computer ...	200	0	0			
139	1	Draftsman ...	200	0	0			
140	1	Computer ...	180	0	0			
141	1	Do. ...	180	0	0			
142	1	Deeds Draftsman ...	180	0	0			
143	1	Draftsman ...	180	0	0			
144	1	Do. ...	170	0	0			
145	1	Do. ...	160	0	0			
146	1	Computer ...	150	0	0			
147	1	Draftsman ...	170	0	0			
148	1	Do. ...	160	0	0			
149	1	Deeds Draftsman ...	140	0	0			
150	1	Shorthand Clerk ...	170	0	0			
151	1	Junior Draftsman ...	110	0	0			
152	1	Do. do. ...	100	0	0			
153	1	Do. do. ...	90	0	0			
154	1	Do. Clerk ...	90	0	0			
155	1	Junior Draftsman ...	85	0	0			
156	1	Do. do. ...	70	0	0			
157	1	Do. do. ...	70	0	0			
158	1	Junior Clerk ...	70	0	0			
159	1	Junior Draftsman ...	70	0	0			
160	1	Do. ...	60	0	0			
161	1	Messenger ...	55	0	0			
162	1	Do. ...	50	0	0			
163	1	Do. (10 months at £40 per annum) ...	33	6	8			
164	...	Survey Assistants, Chainmen, and Labourers occasionally employed... ..	3300	0	0			
ALLOWANCES—£1,200.								
165-171	7	Forage and Travelling for Inspectors of Lands, at £150 per annum each (2 for 6 months only) ...	800	0	0			
172	...	Allowances for Inspecting and Road Surveyors while in the field	400	0	0			
		Carried forward	34341	9	8			

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Lands and Surveys—continued.								
		Brought forward	...	34341	9	8		
CONTINGENCIES—£16,000.								
173	...	Incidental Expenses	...	1000	0	0		
174	...	*Advertising	...	1000	0	0		
175	...	*Travelling and Transport	...	1000	0	0		
176	...	Margaret River Caves Improvements	...	250	0	0		
177	...	Surveys	...	9500	0	0		
178	...	Expenses in connection with Surveys, including purchase of Horses and Equipment for Surveyors, Forage for Horses, Repairs to Equipment, Freight and Carriage, Travelling	...	1100	0	0		
179	...	Grant to Land Surveyors' Licensing Board	...	50	0	0		
180	...	Rent of Offices	...	600	0	0		
181	...	Postage, Telephone Rent, and Foreign Telegrams	...	900	0	0		
182	...	†Stationery, Typewriters, etc.	...	600	0	0		
		Total Lands and Surveys	...	...			50341	9 8
FISHERIES.								
SALARIES, PROVISIONAL AND TEMPORARY—£1,722 10s.								
1	1	Chief Inspector	...	300	0	0		
2	1	Clerk	...	125	0	0		
3	1	Inspector, Albany	...	150	0	0		
4	1	Do. Bunbury	...	87	10	0		
5	1	Do. Mandurah	...	160	0	0		
6	1	Do. Nannerup Inlet	...	150	0	0		
7	1	Do. Sharks Bay	...	160	0	0		
8	1	Seaman, do.	...	130	0	0		
9	1	Inspector, Swan	...	160	0	0		
10	1	Do. Vasse	...	150	0	0		
11	...	Inspectors and Labourers occasionally employed	...	150	0	0		
CONTINGENCIES—£470.								
12	...	Acclimatisation of Fish, Birds, and Animals	...	250	0	0		
13	...	Incidental Expenses (including Travelling Expenses)	...	200	0	0		
14	...	Postage and Foreign Telegrams	...	10	0	0		
15	...	†Stationery, Typewriters, etc.	...	10	0	0		
		Total Fisheries	...	...			2192	10 0
		Carried forward	...	...			52533	19 8

*Previously classified under Incidental.

† Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			52533	19	8
		WOODS AND FORESTS.						
		SALARIES, PROVISIONAL AND TEMPORARY—£1,910.						
1	1	Acting Conservator of Forests ...	275	0	0			
2	1	Clerk ...	180	0	0			
3	1	Do. and Messenger ...	110	0	0			
4	1	Forest Ranger, Chidlow's Well ...	170	0	0			
5	1	Do. Coolgardie ...	180	0	0			
6	1	Do. Donnybrook ...	170	0	0			
7	1	Do. Sandalwood Area ...	170	0	0			
8	1	Do. Waroona ...	170	0	0			
9	1	Nurseryman ...	180	0	0			
10	1	Caretaker, Point Walter Reserve ...	100	0	0			
11	1	Cadet Drakesbrook Nursery ...	55	0	0			
12	...	Labourers occasionally employed ...	150	0	0			
		ALLOWANCES—£375.						
13-17	5	Travelling for Forest Rangers at £75 per annum each ...	375	0	0			
		CONTINGENCIES—£505.						
18	...	Incidental Expenses (including Travelling Expenses) ...	250	0	0			
19	...	Maintaining Nursery, Drakesbrook ...	50	0	0			
20	...	Postage, Telephone Rent, and Foreign Telegrams ...	15	0	0			
21	...	* Stationery, Typewriters, etc. ...	15	0	0			
22	...	Advertising W.A. timbers ...	75	0	0			
23	...	Pine, Wattle, and Sandalwood Plantations ...	100	0	0			
		Total Woods and Forests ...				2790	0	0
		STOCK.						
		SALARIES, FIXED—£575.						
1	1	Chief Inspector of Stock ...	350	0	0			
2	1	Clerk ...	225	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY— £1,649 8s. 4d.						
3	1	Inspector, Albany ...	50	0	0			
4	1	Do. Broome ...	12	0	0			
5	1	Do. Coolgardie ...	50	0	0			
6	1	Do. Derby ...	12	0	0			
7	1	Do. Esperance ...	12	0	0			
8	1	Do. Esperance (2 months at £260 per annum) ...	43	6	8			
9	1	Do. Eucla ...	12	0	0			
10	1	Do. Fremantle ...	310	0	0			
11	1	Do. Geraldton ...	25	0	0			
12	1	Do. Mt. Magnet (3 months at £260 per annum) ...	65	0	0			
13	1	Do. Roebourne (1 month at £25 per annum, 11 months at £12 per annum) ...	13	1	8			
		Carried forward ...	1179	8	4	55323	19	8

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			55323	19	8
		Stock—continued.						
		Brought forward ...	1179	8	4			
		SALARIES PROVISIONAL AND TEMPORARY—continued.						
14	1	Inspector Wyndham ...	260	0	0			
15	1	Do. Incursion of Rabbits ...	200	0	0			
16	1	Veterinary Surgeon, Fremantle ...	310	0	0			
17	1	Consulting Veterinary Surgeon ...	200	0	0			
18	...	Labourers occasionally employed ...	75	0	0			
		ALLOWANCES—£375.						
19	...	Travelling Allowance, Chief Inspector of Stock ...	200	0	0			
20	...	Do. Inspector of Stock, Wyndham ...	150	0	0			
21	...	Allowance for Native Boy for Inspector of Stock, Wyndham ...	25	0	0			
		CONTINGENCIES—£1,825.						
22	...	Incidental Expenses (including Travelling Expenses) ...	250	0	0			
23	...	Postage, Telephone Rent, and Foreign Telegrams ...	50	0	0			
24	...	*Stationery, Typewriters, etc. ...	25	0	0			
25	...	Incursion of Rabbits ...	1,500	0	0			
		Total Stock ...	...			4424	8	4
		AGRICULTURE.						
		SALARIES, PROVISIONAL AND TEMPORARY—£3,945.						
1	1	Secretary ...	425	0	0			
2	1	Clerk ...	190	0	0			
3	1	Accountant ...	190	0	0			
4	1	Librarian and Sub-Editor of Journal ...	150	0	0			
5	1	Clerk ...	70	0	0			
6	1	Caretaker ...	95	0	0			
7	1	Messenger ...	50	0	0			
8	1	Caretaker, Quarantine Ground ...	110	0	0			
9	1	Viticultural and Horticultural Expert and Chief Inspector under the Insect Pests Act ...	450	0	0			
10	1	Dairy Expert ...	300	0	0			
11	1	Field Officer ...	250	0	0			
12	1	Botanist ...	200	0	0			
		Carried forward ...	2480	0	0	59748	8	0

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			59748	8	0
		Agriculture—continued.						
		Brought forward ...	2480	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—continued.						
13	1	Inspector under Insect Pests Act, Albany ...	160	0	0			
14	1	Do. do. do. Bunbury ...	25	0	0			
15	1	Do. do. do. Busselton ...	25	0	0			
16	1	Do. do. do. Esperance ...	25	0	0			
17	1	Do. do. do. Fremantle ...	225	0	0			
18	1	Do. do. do. Geraldton ...	25	0	0			
19	1	Do. do. do. Hamelin ...	25	0	0			
20	1	Do. do. do. Travelling ...	180	0	0			
21	1	Do. do. do. do. ...	180	0	0			
22	1	Do. do. do. do. ...	160	0	0			
23	1	Caretaker, Drakesbrook Experimental Plot ...	115	0	0			
24	1	Inspector ...	160	0	0			
25	1	Do. ...	160	0	0			
		CONTINGENCIES—£3,225.						
26	...	Incidental Expenses (including advertising, freight, carriage, travelling expenses, etc.) ...	650	0	0			
27	...	Experimental Plots and Quarantine Ground ...	200	0	0			
28	...	Library and Museum—purchase of books, periodicals, fruit models, botanical and other specimens ...	100	0	0			
29	...	Office Rent, Rates and Taxes ...	250	0	0			
30	...	Postage, Telephones' Rent, and Foreign Telegrams ...	200	0	0			
31	...	Publications ...	500	0	0			
32	...	*Stationery, Typewriters, etc. ...	75	0	0			
33	...	Travelling Dairy ...	150	0	0			
34	...	Analysis and Chemical Investigations ...	50	0	0			
35	...	Insect Pests Act ...	400	0	0			
36	...	Contagious Diseases (Bees) Act ...	50	0	0			
37	...	Noxious Weeds, eradication of ...	200	0	0			
38	...	Conference of Producers ...	150	0	0			
39	...	National Show ...	250	0	0			
		†Government Refrigerating Works—£1,808.						
		SALARIES, PROVISIONAL AND TEMPORARY—1,208.						
40	1	Manager ...	250	0	0			
41	1	Engineer ...	218	0	0			
42	1	Clerk ...	140	0	0			
43	...	Wages of Engineers, Firemen, Storemen, Labourers, etc. ...	600	0	0			
		CONTINGENCIES—£600.						
44	...	Fuel, etc. ...	350	0	0			
45	...	Materials for Upkeep ...	250	0	0			
		Total Agriculture ...	...			8978	0	0
		Carried forward ...	...			68726	8	0

*Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc. †Previously under Public Works.

Appropriation—1900-1.

COMMISSIONER OF CROWN LANDS—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			68726	8	0
		AGRICULTURAL BANK.						
		SALARIES, PROVISIONAL AND TEMPORARY—£1,025.						
1	1	Manager	550	0	0			
2	1	Accountant	275	0	0			
3	1	Clerk	150	0	0			
4	1	Junior Clerk and Messenger	50	0	0			
		ALLOWANCES—£200.						
5	...	Allowance to Manager for Horses and Man, and Personal Expenses when travelling	200	0	0			
		CONTINGENCIES—£195.						
6	...	Incidental Expenses (including Travelling Expenses) ...	150	0	0			
7	...	Postage, Telephone Rent and Foreign Telegrams ...	35	0	0			
8	...	Stationery, Typewriters, etc.	10	0	0			
		Total Agricultural Bank				1420	0	0
		Total Commissioner of Crown Lands				70146	8	0
		Amount brought forward from Total to COMMISSIONER OF RAILWAYS...				1616576	15	10
		Amount carried forward to Total MINISTER OF MINES				1686723	3	10

Appropriation—1900-1.

MINISTER OF MINES.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
M I N E S .								
SALARIES, FIXED—£16,505 16s. 8d.								
		Minister of Mines (Civil List).						
1	1	Under Secretary for Mines	600	0	0			
2	1	Chief Clerk	385	0	0			
3	1	Caretaker	80	0	0			
<i>Accountant's Branch.</i>								
4	1	Chief Accountant and Collector of Mining Revenue ...	340	0	0			
5	1	Clerk *	200	0	0			
6	1	Do.	200	0	0			
7	1	Do. b	180	0	0			
<i>Correspondence Branch.</i>								
8	1	Chief Correspondence Clerk	285	0	0			
9	1	Clerk c	225	0	0			
10	1	Minister's Clerk b	210	0	0			
11	1	Record Clerk b	210	0	0			
12	1	Shorthand Clerk and Typist b	210	0	0			
13	1	Do. Do. b	225	0	0			
14	1	Clerk b	160	0	0			
15	1	Do. b	120	0	0			
<i>Draftsman's Branch.</i>								
16	1	Chief Draftsman (9 months at £340)	255	0	0			
17	1	Draftsman (Inquiry) b	220	0	0			
18	1	Compiling Draftsman b	220	0	0			
19	1	Draftsman and Computer b	240	0	0			
20	1	Computing Draftsman b	220	0	0			
21	1	Draftsman b	160	0	0			
<i>Registration Branch.</i>								
22	1	Inspecting Registrar	340	0	0			
23	1	Registrar	275	0	0			
24	1	Clerk b	180	0	0			
25	1	Do. b	170	0	0			
26	1	Do. b	170	0	0			
<i>Statist's Branch.</i>								
27	1	Statist	275	0	0			
28	1	Clerk b	185	0	0			
29	1	Do. b	160	0	0			
<i>Survey Branch.</i>								
30	1	Inspector of Mining Surveys	50	0	0			
31	1	Assistant Inspecting Surveyor b	315	0	0			
32	1	Computer and Draftsman b	250	0	0			
Carried forward ...			7315	0	0			

* Previously under "Public Batteries Branch." b. Previously under "Salaries, Provisional and Temporary,"
c. Previously styled "Assistant Accountant."

Appropriation—1900-1.

MINISTER OF MINES—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Mines—continued.								
		Brought forward	...	7315	0	0		
SALARIES, FIXED—continued.								
<i>Goldfields Staff.</i>								
33	1	Warden, Broad Arrow	...	600	0	0		
34	1	Do. Coolgardie	...	750	0	0		
35	1	Do. East Coolgardie	...	750	0	0		
36	1	Do. North Coolgardie	...	600	0	0		
37	1	Do. North-East Coolgardie	...	600	0	0		
38	1	Do. Dundas	...	600	0	0		
39	1	Do. Mount Margaret	...	600	0	0		
40	1	Do. Murchison, and Acting Warden, Yalgoo	...	750	0	0		
41	1	Do. East Murchison	...	550	0	0		
42	1	Do. Peak Hill	...	500	0	0		
43	1	Do. Pilbarra	...	500	0	0		
44	1	Do. Phillips River (11 months at £350)	...	320	16	8		
45	1	Do. Yilgarn	...	250	0	0		
46	1	Mining Registrar, Coolgardie	...	300	0	0		
47	1	Do. Murchison <i>a</i>	...	300	0	0		
48	1	Do. Kalgoorlie <i>b</i>	...	300	0	0		
<i>Professional.</i>								
49	1	Inspecting Surveyor, Central Goldfields	...	420	0	0		
50	1	Do. and Field Surveyor, Eastern Goldfields <i>b</i>	...	500	0	0		
SALARIES, PROVISIONAL AND TEMPORARY— £17,999 1s. 8d.								
<i>Accountant's Branch.</i>								
51	1	Clerk	...	200	0	0		
52	1	Junior Clerk <i>d</i>	...	50	0	0		
<i>Correspondence Branch.</i>								
53	1	Clerk	...	180	0	0		
54	1	Do.	...	110	0	0		
55	1	Clerk and Messenger	...	50	0	0		
56	1	Do. do.	...	45	0	0		
57	1	Do. do.	...	45	0	0		
58	1	Do. do. <i>c</i>	...	40	0	0		
59	1	Cleaner, Head Office	...	50	0	0		
<i>Draftsman Branch.</i>								
60	1	Computing Draftsman	...	210	0	0		
61	1	Draftsman	...	180	0	0		
62	1	Junior Draftsman	...	90	0	0		
63	1	Plan Mounter	...	160	0	0		
64	1	Typographical Printer	...	150	0	0		
Carried forward				...	18015	16	8	

a. Receives £50 as Treasury Cashier, Cue.*b.* Previously under "Salaries, Provisional and Temporary,"

"Temporary Labour" Vote.

d. Previously under "Correspondence Branch."*c.* Previously paid from

Appropriation—1900-1.

MINISTER OF MINES—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Mines—continued.								
		Brought forward ...	18015	16	8			
SALARIES, PROVISIONAL AND TEMPORARY—continued.								
<i>Registration Branch.</i>								
65	1	Clerk	155	0	0			
66	1	Do. d	60	0	0			
<i>Statist's Branch.</i>								
67	1	Clerk	160	0	0			
68	1	Do.	95	0	0			
<i>Survey Branch.</i>								
69	1	Draftsman to Inspecting Surveyor, Eastern Goldfields...	250	0	0			
70	1	Do. do. do. Central Goldfields...	240	0	0			
71	1	Junior Draftsman	90	0	0			
72	1	Do.	70	0	0			
<i>Goldfields Staff.</i>								
<i>Ashburton Goldfield—</i>								
73	1	Mining Registrar, Mount Mortimer	280	0	0			
<i>Broad Arrow Goldfield—</i>								
74	1	Draftsman and Assistant Mining Registrar ...	260	0	0			
75	1	Mining Registrar	235	0	0			
76	1	Caretaker	52	0	0			
<i>Inspector of Mines' Staff.</i>								
<i>Coolgardie Goldfield—</i>								
77	1	Inspector of Mines	400	0	0			
78	1	Assistant Inspector of Mines	350	0	0			
79	1	Clerk to Inspector of Mines a	50	0	0			
80	1	Attendant do. do.	160	0	0			
<i>Warden's Staff.</i>								
81	1	Draftsman, Inquiry	225	0	0			
82	1	Assistant Mining Registrar	205	0	0			
83	1	Clerk	215	0	0			
84	1	Caretaker and Bailiff	100	0	0			
<i>Inspector of Mines' Staff.</i>								
<i>East Coolgardie Goldfield—</i>								
85	1	Inspector of Mines	420	0	0			
86	1	Assistant Inspector of Mines	220	0	0			
87	1	Clerk to Inspector of Mines b	105	0	0			
		Carried forward ...	22412	16	8			

a. Previously under "Temporary Clerical Assistance" Vote. b. Half salary charged to "Steam Boilers Branch."
d. Previously under "Correspondence Branch."

Appropriation—1900-1.

MINISTER OF MINES—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Mines—continued.								
		Brought forward ...	22412	16	8			
SALARIES, PROVISIONAL AND TEMPORARY—continued.								
<i>Warden's Staff.</i>								
<i>East Coolgardie Goldfield—continued.</i>								
88	1	Draftsman ...	250	0	0			
89	1	Accountant ...	225	0	0			
90	1	Assistant Mining Registrar ...	210	0	0			
91	1	Clerk ...	190	0	0			
92	1	Caretaker ...	70	0	0			
<i>Inspector of Mines' Staff.</i>								
<i>North Coolgardie Goldfield—</i>								
93	1	Inspector of Mines ...	350	0	0			
94	1	Clerk to Inspector of Mines a ...	75	0	0			
<i>Warden's Staff.</i>								
95	1	Mining Registrar, Menzies ...	260	0	0			
96	1	Draftsman, Menzies ...	260	0	0			
97	1	Clerk, Menzies ...	200	0	0			
98	1	Do. do. ...	180	0	0			
99	1	Caretaker, Menzies ...	80	0	0			
100	1	Mining Registrar, Niagara ...	235	0	0			
<i>Inspector of Mines' Staff.</i>								
<i>North-East Coolgardie Goldfield—</i>								
101	1	Inspector of Mines ...	350	0	0			
102	1	Clerk to Inspector of Mines a ...	90	0	0			
<i>Warden's Staff.</i>								
103	1	Mining Registrar, Kanowna ...	270	0	0			
104	1	Assistant Mining Registrar, Kanowna ...	235	0	0			
105	1	Draftsman, Kanowna ...	52	0	0			
106	1	Caretaker and Messenger, Kanowna ...	80	0	0			
107	1	Bailiff, Kanowna ...	50	0	0			
108	1	Mining Registrar, Bulong ...	225	0	0			
109	1	Caretaker, Bulong ...	20	0	0			
<i>Warden's Staff.</i>								
<i>Dundas Goldfield—</i>								
110	1	Mining Registrar, Norseman ...	300	0	0			
111	1	Assistant Mining Registrar, Norseman ...	225	0	0			
112	1	Caretaker, Norseman ...	39	0	0			
113	1	Clerk to Inspector of Mines, Norseman...	20	0	0			
		Carried forward ...	26953	16	8			

a. Half salary charged to "Steam Boilers Branch."

Appropriation—1900-1.

MINISTER OF MINES—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Mines—continued.								
		Brought forward ...	26953	16	8			
SALARIES, PROVISIONAL AND TEMPORARY—continued.								
<i>Warden's Staff—continued.</i>								
<i>Gascoyne Goldfield—</i>								
114	1	Mining Registrar, Bangemall ...	25	0	0			
<i>Kimberley Goldfield—</i>								
115	1	Deputy Mining Registrar, Hall's Creek...	40	0	0			
<i>Inspector of Mines' Staff.</i>								
<i>Mount Margaret Goldfield—</i>								
116	1	Inspector of Mines ...	350	0	0			
117	1	Clerk and Attendant to Inspector of Mines <i>a</i> ...	87	10	0			
<i>Warden's Staff.</i>								
118	1	Mining Registrar, Mount Malcolm ...	260	0	0			
119	1	Draftsman do. ...	270	0	0			
120	1	Clerk do. ...	210	0	0			
121	1	Do. do. ...	190	0	0			
122	1	Caretaker do. ...	52	0	0			
123	1	Mining Registrar, Laverton ...	260	0	0			
<i>Inspector of Mines Staff.</i>								
<i>Murchison Goldfield—</i>								
124	1	Inspector of Mines ...	350	0	0			
125	1	Clerk to Inspector of Mines <i>a</i> ...	95	0	0			
<i>Warden's Staff.</i>								
126	1	Assistant Mining Registrar, Cue ...	210	0	0			
127	1	Caretaker do. 1 month at £100, 11 months at £60	63	6	8			
128	1	Mining Registrar, Mount Magnet ...	260	0	0			
129	1	Caretaker do. ...	26	0	0			
130	1	Mining Registrar, Nannine ...	260	0	0			
<i>East Murchison Goldfield—</i>								
131	1	Mining Registrar, Lawlers ...	275	0	0			
132	1	Caretaker do. ...	24	0	0			
<i>Peak Hill Goldfield—</i>								
133	1	Mining Registrar, Peak Hill ...	200	0	0			
134	1	Cleaner do. <i>b</i> ...	26	0	0			
		Carried forward ...	30487	13	4			

a Half salary charged to "Steam Boilers Branch." *b* Previously paid from "Temporary Labour" Vote.

Appropriation—1900-1.

MINISTER OF MINES—(continued).

in No.	No. of Persons.		£	s.	d.	£	s.	d.
		Mines—continued.						
		Brought forward ...	30487	13	4			
		SALARIES, PROVISIONAL AND TEMPORARY—continued.						
		<i>Warden's Staff—continued.</i>						
		<i>Pilbarra Goldfield—</i>						
135	1	Deputy Mining Registrar, Bamboo Creek ...	12	0	0			
136	1	Mining Registrar, Marble Bar ...	260	0	0			
137	1	Draftsman, Marble Bar ...	125	0	0			
138	1	Caretaker, Marble Bar ...	36	0	0			
139	1	Mining Registrar, Nullagine ...	200	0	0			
140	1	Deputy Mining Registrar, Tambourah ...	12	0	0			
		<i>Pilbarra West Goldfield—</i>						
141	1	Mining Registrar, Roebourne ...	50	0	0			
		<i>Yalgoo Goldfield—</i>						
142	1	Mining Registrar, Yalgoo a ...	125	0	0			
		<i>Yilgarn Goldfield—</i>						
143	1	Mining Registrar, Southern Cross ...	225	0	0			
144	1	Caretaker, Southern Cross ...	27	0	0			
		<i>Collie Coalfield—</i>						
145	1	Inspector of Mines, Collie ...	104	0	0			
146	1	Mining Registrar, Collie ...	300	0	0			
		<i>Northampton Mining District—</i>						
147	1	Mining Registrar, Northampton b ...	80	0	0			
		<i>Donnybrook Goldfield—</i>						
148	1	Mining Registrar, Donnybrook ...	200	0	0			
		<i>Greenbushes Tinfeld—</i>						
149	1	Mining Registrar, Greenbushes ...	100	0	0			
150	1	Assistant Mining Registrar, Greenbushes ...	210	0	0			
151	1	Clerk, Greenbushes ...	170	0	0			
152	1	Caretaker, Greenbushes c ...	25	0	0			
		<i>Phillips River Mining District—</i>						
153	1	Mining Registrar (3 months at £25 per annum)	6	5	0			
		<i>Miscellaneous—</i>						
154	...	Temporary Clerical Assistance, Draftsmen, Relieving Officers, etc. ...	1000	0	0			
155	...	Temporary Labour (including) Survey Assistants, Axemen, Chinamen, Camel Drivers, Caretakers, Cleaners, Messengers, Grooms, etc. ...	750	0	0			
		Carried forward ...	34504	18	4			

a Also draws £200 as Clerk of Courts. b Half salary now being paid by Lands Department. c Previously paid from "Temporary Labour" vote.

Appropriation—1900-1.

MINISTER OF MINES—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Mines—continued.								
		Brought forward ...	34504	18	4			
ALLOWANCES—£2,535 6s. 8d.								
156	1	Goldfield Allowance, Warden, Broad Arrow ..	100	0	0			
157	1	Do. do. do. Coolgardie ...	150	0	0			
158	1	Do. do. do. do. East ...	150	0	0			
159	1	Do. do. do. do. North ...	100	0	0			
160	1	Do. do. do. do. North-East ...	100	0	0			
161	1	Do. do. do. Dundas ...	100	0	0			
162	1	Do. do. do. Mt. Margaret ...	100	0	0			
163	1	Do. do. do. Murchison ...	150	0	0			
164	1	Do. do. do. do. East ...	100	0	0			
165	1	Do. do. do. Peak Hill ...	100	0	0			
166	1	Do. do. do. Pilbarra ...	100	0	0			
167	1	Do. do. do. Yilgarn ...	100	0	0			
168	1	Do. do. do. Phillips River (10 months at £100 per annum) ...	83	6	8			
169	1	Do. do. Inspecting Surveyor, Central Goldfields ...	100	0	0			
170	...	Lodging Allowances for Subordinate Officers on Goldfields ...	700	0	0			
171	1	Travelling Allowance, Warden, Broad Arrow ...	75	0	0			
172	1	Do. do. Peak Hill ...	75	0	0			
173	1	Do. do. Yilgarn ...	52	0	0			
174	1	Travelling Allowance in lieu of Subsistence Allowance Acting Warden, Gascoyne ...	100	0	0			
CONTINGENCIES—£20,450.								
175	...	Incidental Expenses ...	900	0	0			
176	...	Water for Officers on Goldfields ^a ...	500	0	0			
177	...	Transport ^a ...	200	0	0			
178	...	Advertising ^a ...	600	0	0			
179	...	Equipment, Conveyance, and Repairs ...	1000	0	0			
180	...	Postage, Telegrams, and Telephone Rent ...	1100	0	0			
181	...	Stationery, Typewriters, etc. ...	1000	0	0			
182	...	Surveys on Goldfields ...	700	0	0			
183	...	Travelling Expenses (of all Officers, including Wardens' Inspecting Surveyors, and Inspectors of Mines, etc., at current rates per day respectively), also to include Allowances to Officers relieving ...	3500	0	0			
184	...	Survey of Leases, Areas, etc., and Refunds of Survey Fees ...	6000	0	0			
185	...	Examination of Engine-drivers and Underground Surveyors, etc. ...	500	0	0			
186	...	Exemption Fees, refund of ...	600	0	0			
187	...	Fuel, Lighting, and Sanitary ...	350	0	0			
188	...	Bonus for Deep Sinking ...	1500	0	0			
189	...	Mining School ...	2000	0	0			
		Carried forward ...	57490	5	0			

^a Previously charged under "Incidental Expenses."

Appropriation—1900-1.

MINISTER OF MINES—(continued).

Item No.	No. of Persons		£	s.	d.	£	s.	d.
Mines—continued.								
		Brought forward ...	57490	5	0			
		Public Batteries—£26,175.						
		SALARIES, FIXED—£475.						
190	1	Superintendent ...	425	0	0			
191	1	Correspondence Clerk ...	50	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£17,700.						
192	1	Typewriter and Clerk <i>a</i> ...	60	0	0			
193	1	Clerk ...	140	0	0			
194	...	Temporary Labour ...	17500	0	0			
		CONTINGENCIES—£8,000.						
195	...	General Supplies and Maintenance ...	8000	0	0			
		Steam Boilers Act—£3,815 16s. 8d.						
		SALARIES, FIXED—£610.						
196	1	Chief Inspector of Boilers ...	400	0	0			
197	1	Clerk <i>b</i> ...	210	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£2,110 16s. 8d.						
198	1	Clerk (10 months at £130 per annum) ...	108	6	8			
199	1	Do. ...	110	0	0			
200	1	Typewriter and Clerk <i>c</i> ...	60	0	0			
201	1	Assistant Inspector, Perth... ..	240	0	0			
202	1	Do. do. ...	240	0	0			
203	1	Do. do. ...	220	0	0			
204	1	Inspector of Boilers, East Coolgardie District (10 months at £300 per annum) ...	250	0	0			
205-211	7	Inspectors of Boilers, at £40 per annum each ...	280	0	0			
212	1	Clerk to Inspector of Boilers, East Coolgardie District <i>d</i> ...	105	0	0			
213	1	Clerk to Inspector of Boilers, North Coolgardie District <i>d</i> ...	75	0	0			
214	1	Clerk to Inspector of Boilers, North-East Coolgardie District <i>d</i> ...	90	0	0			
215	1	Clerk to Inspector of Boilers, Mt. Margaret District <i>d</i> ...	87	10	0			
216	1	Clerk to Inspector of Boilers, Murchison District <i>d</i> ...	95	0	0			
217	...	Temporary Clerical Assistance (including Draftsman) ...	70	0	0			
218	...	Temporary Labour ...	80	0	0			
		CONTINGENCIES—£1,095.						
219	...	Travelling Expenses ...	650	0	0			
220	...	<i>e</i> Stationery, Typewriters, etc. ...	100	0	0			
221	...	<i>e</i> Incidental Expenses ...	50	0	0			
222	...	Purchase of and Repairs to Instruments ...	75	0	0			
223	...	Fodder, Shoeing, Repairs, etc. ...	50	0	0			
224	...	Postage Telegrams, and Telephone Rent ...	120	0	0			
225	...	Outstanding Percentages due to Inspectors ...	50	0	0			
		Total Mines ...				87481	1	8
		Carried forward ...				87481	1	8

a Half salary paid by "Steam Boilers Branch."
c Half salary paid by "Public Batteries Branch."

b Previously under "Salaries, Provisional and Temporary."
d Half salary provided under "Mines Department." *e* Previously charged under "Item 196."

Appropriation—1900-1.

MINISTER OF MINES—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			87481	1	8
GEOLOGICAL SURVEY.								
SALARIES, FIXED—£1,210.								
1	1	Government Geologist ...	650	0	0			
2	1	Mineralogist and Assayer <i>a</i> ...	350	0	0			
3	1	Clerk and Accountant ...	210	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£1,600.								
4	1	Assistant Geologist ...	320	0	0			
5	1	Assistant Geologist <i>b</i> ...	275	0	0			
6	1	Draftsman ...	250	0	0			
7	1	Field Assistant ...	150	0	0			
8	1	Laboratory Assistant ...	100	0	0			
9	1	Cadet ...	60	0	0			
10	1	Caretaker ...	60	0	0			
11	1	Messenger ...	35	0	0			
12	...	Temporary Labour—Axemen, Chainmen, Camp Assistants, etc. ...	350	0	0			
CONTINGENCIES—£1,340.								
13	...	Incidental Expenses ...	250	0	0			
14	...	Postage, Telephone Rent, and Telegrams ...	60	0	0			
15	...	Stationery, Typewriters ...	90	0	0			
16	...	Equipment of Library and Museum of Practical Geology ...	100	0	0			
17	...	Travelling Expenses, Transport, Forage, Field Equipment, etc. ...	800	0	0			
18	...	Fuel, Lighting, Sanitary, and Water ...	40	0	0			
Total Geological Survey ...						4150	0	0
Total Minister of Mines ...						91631	1	8
Amount brought forward from Total to COMMISSIONER OF CROWN LANDS						1686723	3	10
Amount carried forward to Total ATTORNEY GENERAL ...						1778354	5	6

a. Previously under Provisional and Temporary.*b.* Previously called Topographical Surveyor.

Appropriation—1900-1.

ATTORNEY GENERAL.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
LAW OFFICERS.								
SALARIES, FIXED—£3,191 13s. 4d.								
1	1	Attorney General (Civil List).						
1	1	Crown Solicitor	750	0	0			
2	1	Law and Parliamentary Draftsman	600	0	0			
3	1	Chief Clerk to Attorney General	300	0	0			
4	1	Clerk	80	0	0			
5	1	Managing Clerk (Criminal Business)	400	0	0			
6	1	Managing Clerk (Civil Business)	400	0	0			
7	1	Clerk (Conveyancing)	180	0	0			
8	1	Do.	80	0	0			
9	1	Accountant, 3 months, at £250 p.a.	62	10	0			
10	1	Do. 11 months, at £250 p.a.	229	3	4			
11	1	Shorthand Writer and Typist	110	0	0			
CONTINGENCIES—£280.								
12	...	Law Books	100	0	0			
13	...	Incidental Expenses (including Travelling Expenses)	50	0	0			
14	...	Postage, Telephone Rent, and Foreign Telegrams	60	0	0			
15	...	*Stationery, Typewriters, etc.	50	0	0			
16	...	Water, Fuel, Lighting, and Sanitary	20	0	0			
Total Law Officers ... ..			...			3471 13 4		
SUPREME COURT.								
SALARIES, FIXED—£5,900.								
1	1	Registrar, Master, and Keeper of Records, Supreme } Court, and Registrar in Bankruptcy }	700	0	0			
2	1	Sheriff	550	0	0			
3	1	Chief Clerk and Registrar of Joint Stock Companies	390	0	0			
4	1	Taxing Officer	390	0	0			
5	1	Clerk	225	0	0			
6	1	Do.	225	0	0			
7	1	Do. Central Office	170	0	0			
8	1	Do.	130	0	0			
9	1	Do.	120	0	0			
10	1	Do.	90	0	0			
11	1	Do.	225	0	0			
12	1	Do.	110	0	0			
13	1	Typist	50	0	0			
14	1	Clerk to Sheriff	240	0	0			
Carried forward ..			3615 0 0			3471 13 4		

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

ATTORNEY GENERAL—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			3471	13	4
		Supreme Court—continued.						
		Brought forward	3615	0	0			
		SALARIES, FIXED—continued.						
15	1	Assistant Clerk, Sheriff's Office	120	0	0			
16	1	Clerk to Chief Justice and Clerk of Arraigns	200	0	0			
17	1	Do. to Puisne Judge do.	200	0	0			
18	1	Do. to Third Judge do.	200	0	0			
19	1	Do. to Fourth Judge do.	200	0	0			
20	1	Librarian	170	0	0			
21	1	Chief Bailiff and Head Constable	250	0	0			
22	1	Bailiff	170	0	0			
23	1	Assistant Bailiff	150	0	0			
24	1	Bailiff	100	0	0			
25	1	Usher	190	0	0			
26	1	Do.	160	0	0			
27	1	Messenger, Caretaker, and Assistant Usher, No. 1 Court	115	0	0			
28	1	Assistant Messenger	60	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£160.						
29	...	Extra Clerical Assistance	160	0	0			
		ALLOWANCES—£40 19s. 4d.						
30	1	Messenger and Caretaker of No. 1 Court, Lodging in lieu of Quarters	30	0	0			
31	1	Caretaker, No. 2 Court, Lodging from 1st February to 12th May, at £30 p.a.	10	19	4			
		CONTINGENCIES—£4,300.						
32	...	Witnesses and Jurors, Payment of	2800	0	0			
33	...	Circuit Prosecutions	600	0	0			
34	...	Incidental Expenses (including Travelling Expenses)	50	0	0			
35	...	Postage, Telephone Rent, and Foreign Telegrams	150	0	0			
36	...	*Stationery, Typewriters, etc.	100	0	0			
37	...	Water, Fuel, Lighting, and Sanitary	40	0	0			
38	...	Law Reporting	200	0	0			
39	...	Circuit Courts, Travelling Expenses, etc.	300	0	0			
40	...	Law Books for Judges	60	0	0			
		Total Supreme Court	...			10400	19	4
		Carried forward	...			13872	12	8

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

ATTORNEY GENERAL—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			13872	12	8
		OFFICIAL RECEIVER IN BANKRUPTCY.						
		SALARIES, FIXED—£1,615.						
1	1	Official Receiver in Bankruptcy	400	0	0			
2	1	Clerk and Accountant	270	0	0			
3	1	Clerk and Shorthand Writer	200	0	0			
4	1	Clerk	210	0	0			
5	1	Do.	180	0	0			
6	1	Do.	160	0	0			
7	1	Junior Clerk	105	0	0			
8	1	Clerk	90	0	0			
		CONTINGENCIES—£210.						
9	...	Postage, Telephone Rent, and Foreign Telegrams	150	0	0			
10	...	*Stationery, Typewriters, etc.	50	0	0			
11	...	Water, Fuel, Lighting, and Sanitary	10	0	0			
		Total Official Receiver in Bankruptcy	...			1825	0	0
		CURATOR OF INTESTATE ESTATES.						
		SALARIES, FIXED—£620.						
1	1	Curator of Intestate Estates	275	0	0			
2	1	Clerk and Accountant	175	0	0			
3	1	Clerk	170	0	0			
		CONTINGENCIES—£85.						
4	...	Postage, Telephone Rent, and Foreign Telegrams	50	0	0			
5	...	*Stationery, Typewriters, etc.	30	0	0			
6	...	Water, Fuel, Lighting, and Sanitary	5	0	0			
		Total Curator of Intestate Estates	...			705	0	0
		STIPENDIARY MAGISTRACY.						
		SALARIES, FIXED—£17,968 0s. 5d.						
1	1	Albany	600	0	0			
2	1	Blackwood	350	0	0			
3	1	Broome	500	0	0			
4	1	Bunbury	450	0	0			
5	1	Esperance—(1st July to 16th September, at £500, and 17th September to 30th June, at £250 per annum)	302	15	7½			
6	1	Fremantle <i>a</i>	600	0	0			
7	1	Gascoyne	450	0	0			
8	1	Geraldton	600	0	0			
9	1	Kimberley, East <i>b</i>	200	0	0			
10	1	Kimberley, West <i>c</i>	250	0	0			
		Carried forward	4302	15	7	16402	12	8

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.
a. With Residence. *b.* Receives £250 as District Medical Officer. *c.* Receives £100 as District Medical Officer.

Appropriation—1900-1.

ATTORNEY GENERAL—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			16402	12	8
		Stipendiary Magistracy—continued.						
		Brought forward ...	4302	15	7			
		SALARIES, FIXED—continued.						
11	1	Katanning ...	375	0	0			
12	1	Murchison and Gascoyne District, Itinerant Police Magistrate ...	200	0	0			
13	1	Murray <i>a</i> ...	205	0	0			
14	1	Northam ...	400	0	0			
15	1	Onslow ...	150	0	0			
16	1	Perth Local Court Magistrate ...	700	0	0			
17	1	Perth ...	700	0	0			
18	1	Roebourne ...	500	0	0			
19	1	Swan Resident Magistrate and Coroner <i>b</i> ...	200	0	0			
20	1	Toodyay ...	400	0	0			
21	1	Vasse <i>c</i> ...	275	0	0			
22	1	Williams <i>d</i> ...	100	0	0			
23	1	York ...	450	0	0			
24	1	Coroner, Perth and Fremantle Districts <i>e</i> ...	150	0	0			
25	1	Roebourne, Acting Resident Magistrate (one month) ...	41	13	4			
		Clerks--						
26	1	Albany, <i>f</i> Clerk to Magistrates and Local Court ...	225	0	0			
27	1	Beverley do. do. ...	30	0	0			
28	1	Bridgetown, do. do. ...	50	0	0			
29	1	Broad Arrow <i>g</i> do. (from 16th August, 1900, to 30th June, 1901, £225 p.a.) ...	196	11	6			
30	1	Broome, Clerk to Magistrates and Local Court ...	100	0	0			
31	1	Bunbury do. do. ...	250	0	0			
32	1	Busselton do. do. ...	135	0	0			
33	1	Carnarvon do. do. ...	145	0	0			
34	1	Collie do. do. ...	250	0	0			
35	1	Coolgardie do. do. ...	250	0	0			
36	1	Do. Assistant do. do. ...	200	0	0			
37	1	Cossack do. do. ...	5	0	0			
38	1	Cue do. do. ...	230	0	0			
39	1	Derby <i>h</i> do. do. ...	140	0	0			
40	1	Dongara do. do. ...	20	0	0			
41	1	Donnybrook do. do. ...	40	0	0			
42	1	Dundas <i>i</i> do. do. ...	225	0	0			
43	1	Esperance <i>j</i> do. do. ...	100	0	0			
44	1	Fremantle do. do. ...	270	0	0			
45	1	Do. Assistant do. do. ...	170	0	0			
46	1	Do. do. do. do. ...	150	0	0			
47	1	Geraldton do. do. ...	300	0	0			
48	1	Do. Assistant do. do. ...	190	0	0			
49	1	Gingin do. do. ...	20	0	0			
50	1	Greenbushes do. do. ...	40	0	0			
51	1	Greenough do. do. ...	160	0	0			
52	1	Guildford do. do. ...	200	0	0			
		Carried forward ...	13241	0	5	16402	12	8

a Receives £150 as District Medical Officer.
d Receives £150 as District Medical Officer.
 Cashier and £35 as Quarantine Attendant.
 as Electoral Registrar.

b Receives £150 as District Medical Officer.
e Receives £500 as President Central Board of Health.
g Receives £25 as Treasury Cashier.
i Receives £35 as Treasury Cashier.

c Receives £100 as District Medical Officer.
f Receives £80 as Treasury
h Receives £110 as Customs Officer and £15
 Receives £80 as Treasury Cashier and £100 as Customs Officer.

Appropriation—1900-1.

ATTORNEY GENERAL—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			16402	12	8
		Stipendiary Magistracy—continued.						
		Brought forward ...	13241	0	5			
		SALARIES, FIXED—continued.						
		<i>Clerks—continued.</i>						
53	1	Hall's Creek, Clerk to Magistrates and Local Court ...	25	0	0			
54	1	Jarrahdale do. do. ...	50	0	0			
55	1	Kalgoorlie do. do. ...	250	0	0			
56	1	Do., Assistant do. do. ...	150	0	0			
57	1	Kanowna <i>a</i> do. do. ...	225	0	0			
58	1	Katanning do. do. ...	170	0	0			
59	1	Kojonup do. do. ...	20	0	0			
60	1	Lawlers do. do. ...	50	0	0			
61	1	Menzies <i>b</i> do. do. ...	225	0	0			
62	1	Moora do. do. ...	4	0	0			
63	1	Mount Magnet do. do. ...	50	0	0			
64	1	Mount Malcolm do. do. ...	50	0	0			
65	1	Mount Morgans do. do. ...	12	0	0			
66	1	Mullewa do. do. ...	20	0	0			
67	1	Nannine do. do. ...	50	0	0			
68	1	Narrogin do. do. ...	20	0	0			
69	1	Newcastle do. do. ...	200	0	0			
70	1	Northam do. do. ...	170	0	0			
71	1	Northampton do. do. ...	20	0	0			
72	1	Nullagine do. do. ...	50	0	0			
73	1	Onslow do. do. ...	100	0	0			
74	1	Peak Hill do. do. ...	50	0	0			
75	1	Perth, Clerk to Local Court ...	275	0	0			
76	1	Do. Assistant do. ...	176	0	0			
77	1	Do. do. do. ...	170	0	0			
78	1	Do. do. do. ...	120	0	0			
79	1	Perth, Clerk to Magistrates ...	275	0	0			
80	1	Do. Assistant do. ...	180	0	0			
81	1	Do. do. do. ...	140	0	0			
82	1	Do. do. Police Court ...	120	0	0			
83	1	Pinjarra, Clerk to Magistrates and Local Court ...	150	0	0			
84	1	Roebourne do. do. ...	250	0	0			
85	1	Southern Cross do. do. ...	50	0	0			
86	1	Victoria Plains do. do. ...	10	0	0			
87	1	Wagin do. do. ...	20	0	0			
88	1	Williams do. do. ...	30	0	0			
89	1	Wyndham <i>c</i> do. do. ...	200	0	0			
90	1	Yalgoo do. do. ...	200	0	0			
91	1	York do. do. ...	200	0	0			
92	1	Clerk to Coroner, Perth and Fremantle ...	200	0	0			
		Carried forward ...	17968	0	5	16402	12	8

a Receives £25 as Treasury Cashier. *b* Receives £25 per annum as Treasury Cashier. *c* Receives £20 per annum as Electoral Registrar.

Appropriation—1900-1.

ATTORNEY GENERAL—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			16402	12	8
		Stipendiary Magistracy—continued.						
		Brought forward ...	17968	0	5			
		SALARIES, PROVISIONAL AND TEMPORARY—£695 14s. 2d.						
93	...	Acting Resident Magistrate, Katanning, from 21st June, 1900, to 22nd December, 1900, @ £350 per annum...	170	14	2			
94	...	Salaries—Caretakers of Court Houses ...	400	0	0			
95	...	Temporary Clerical Assistance ...	50	0	0			
96	...	*Caretaker Public Buildings, Geraldton a ...	75	0	0			
		ALLOWANCES—£1,412 10s.						
97	1	Forage—Government Resident, Albany ...	50	0	0			
98	1	Do. do. Geraldton ...	100	0	0			
99	1	Do. do. Kimberley, East ...	50	0	0			
100	1	Do. do. Kimberley, West ...	75	0	0			
101	1	Do. do. Roebourne ...	75	0	0			
102	1	Do. Resident Magistrate, Blackwood ...	50	0	0			
103	1	Do. do. Broome ...	75	0	0			
104	1	Do. do. Bunbury ...	50	0	0			
105	1	Do. do. Esperance ...	50	0	0			
106	1	Do. *do. Kalgoorlie ...	37	10	0			
107	1	Do. do. Murray ...	50	0	0			
108	1	Do. do. Northam ...	50	0	0			
109	1	Do. do. Onslow ...	75	0	0			
110	1	Do. do. Swan ...	50	0	0			
111	1	Do. do. Toodyay ...	50	0	0			
112	1	Do. do. Vasse ...	50	0	0			
113	1	Do. do. Katanning ...	75	0	0			
114	1	Do. do. Williams ...	50	0	0			
115	1	Do. do. York ...	50	0	0			
116	1	Lodging do. Blackwood ...	50	0	0			
117	1	Do. do. Bunbury ...	50	0	0			
118	1	Do. do. Esperance ...	50	0	0			
119	1	Do. do. Katanning ...	50	0	0			
120	1	Travelling—Resident Magistrate, Gascoyne ...	100	0	0			
		CONTINGENCIES—£6,836						
121	...	Witnesses and Jurors, Payment of ...	3500	0	0			
122	...	Court Houses ...	100	0	0			
123	...	Inquests ...	1800	0	0			
124	...	Rent, New Norcia Court House ...	26	0	0			
125	...	Travelling Expenses of Magistrates, etc. ...	360	0	0			
126	...	Postage and Telephone Rent ...	450	0	0			
127	...	†Stationery, Typewriters, etc. ...	250	0	0			
128	...	Water, Fuel, Lighting, and Sanitary ...	250	0	0			
129	...	Law Books ...	100	0	0			
		Total Stipendiary Magistracy ...				26912	4	7
		Carried forward ...				43314	17	3

a £75 paid by Treasury. * Receives £75 per annum as Forage Allowance, half being paid by the Mines Department.

† Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

ATTORNEY GENERAL—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...				43314	17	3
LAND TITLES.								
SALARIES, FIXED—£6,986 10s.								
1	1	Commissioner of Titles a ...	750	0	0			
2	1	Registrar of Titles and Deeds ...	550	0	0			
3	1	Assistant Registrar of Titles ...	350	0	0			
4	1	Clerk ...	260	0	0			
5	1	Accountant ...	225	0	0			
6	1	Clerk to Commissioner ...	215	0	0			
7	1	Clerk ...	200	0	0			
8	1	Do. ...	200	0	0			
9	1	Do. ...	180	0	0			
10	1	Do. ...	170	0	0			
11	1	Do. ...	170	0	0			
12	1	Do. ...	160	0	0			
13	1	Do. ...	160	0	0			
14	1	Do. ...	150	0	0			
15	1	Do. ...	120	0	0			
16	1	Do. ...	120	0	0			
17	1	Surveyor, Inspector of Plans and Computer ...	400	0	0			
18	1	Inspecting Surveyor ...	350	0	0			
19	1	Draftsman and Computer... ..	260	0	0			
20	1	Do. ...	230	0	0			
21	1	Do. ...	220	0	0			
22	1	Draftsman ...	200	0	0			
23	1	Do. ...	200	0	0			
24	1	Do. ...	200	0	0			
25	1	Do. ...	200	0	0			
26	1	Do. ...	180	0	0			
27	1	Do. ...	180	0	0			
28	1	Do. ...	176	10	0			
29	1	Junior Draftsman ...	140	0	0			
30	1	Messenger ...	70	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£819 6s.								
31	1	Clerk ...	176	10	0			
32	1	Do. ...	100	0	0			
33	1	Draftsman ...	176	10	0			
34	1	Do. ...	176	10	0			
35	1	Chainman ...	144	16	0			
36	...	Surveyors Temporarily Employed ...	45	0	0			
CONTINGENCIES—£935.								
37	...	Incidental Expenses (including Travelling Expenses) ...	75	0	0			
38	...	Postage, Telephone Rent, and Foreign Telegrams ...	220	0	0			
39	...	* Stationery, Typewriters, etc. ...	600	0	0			
40	...	Water, Fuel, Lighting, and Sanitary ...	40	0	0			
Total Land Titles ...						8740	16	0
Total Attorney General ...						52055	13	3
Amount brought forward from Total to MINISTER OF MINES ...						1778354	5	6
Amount carried forward to Total COLONIAL SECRETARY ...						1830409	18	9

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc. without salary.

a Also Secretary Crown Law Department

Appropriation—1900-1.

COLONIAL SECRETARY.

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
OFFICE OF COLONIAL SECRETARY.								
SALARIES, FIXED—£1,931.								
Colonial Secretary (Civil List).								
1	1	Under Secretary ...	650	0	0			
2	1	Chief Clerk ...	450	0	0			
3	1	Registrar and Clerk ...	250	0	0			
4	1	Shorthand Clerk ...	200	0	0			
5	1	Clerk ...	115	0	0			
6	1	Office Keeper, Public Offices ...	140	0	0			
7	1	Messenger ...	40	0	0			
8	1	Housekeeper ...	50	0	0			
9	1	Office Cleaner ...	36	0	0			
CONTINGENCIES—£1,310.								
10	...	Incidental Expenses (including Travelling Expenses) ...	100	0	0			
11	...	Postage, Telephone Rent, and Foreign Telegrams ...	100	0	0			
12	...	*Stationery, Typewriters, etc. ...	25	0	0			
13	...	Binding Newspapers ...	20	0	0			
14	...	Expenses in connection with the Immigration Restriction Act ...	15	0	0			
15	...	Water and Sanitation, Barracks, Fremantle ...	50	0	0			
16	...	Immigration ...	1000	0	0			
Electoral.								
SALARIES, FIXED—£300.								
17	1	Inspector of Parliamentary Rolls ...	300	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£2,240.								
18	1	Officer in Charge of Electoral Matters generally ...	100	0	0			
19	1	Clerk, Perth ...	160	0	0			
20	1	†Clerk, Perth ...	140	0	0			
21	1	†Junior Clerk, Perth ...	50	0	0			
22	1	Electoral Registrar, Albany and Plantagenet (2) ...	40	0	0			
23	1	Do. Beverley ...	20	0	0			
24	1	Do. Boulder, Kalgoorlie, and Hannans (3) ...	180	0	0			
25	1	Do. Bunbury ...	25	0	0			
26	1	Do. Claremont and Subiaco ...	100	0	0			
27	1	Do. Cockburn Sound ...	50	0	0			
28	1	Do. Coolgardie and Mount Burgess ...	160	0	0			
29	1	Do. Cue ...	25	0	0			
30	1	Do. Dundas ...	25	0	0			
31	1	Do. Fremantle, East, North, and South (4) ...	180	0	0			
32	1	Do. Gascoyne ...	15	0	0			
33	1	Do. Geraldton ...	35	0	0			
34	1	Do. Greenough ...	15	0	0			
35	1	Do. Guildford and Swan ...	100	0	0			
36	1	Do. Irwin ...	15	0	0			
37	1	Do. Kimberley, East ...	15	0	0			
38	1	Do. do. West ...	15	0	0			
Carried forward			5006	0	0			

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.
† Previously paid from Contingencies.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
Electoral—continued.								
		Brought forward ...	5006	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—continued.								
39	1	Electoral Registrar, Kanowna ...	160	0	0			
40	1	Do. Menzies ...	30	0	0			
41	1	Do. Moore ...	20	0	0			
42	1	Do. Murchison ...	15	0	0			
43	1	Do. do. North ...	15	0	0			
44	1	Do. Mt. Magnet ...	35	0	0			
45	1	Do. Mt. Margaret ...	25	0	0			
46	1	Do. Murray ...	20	0	0			
47	1	Do. Northam ...	20	0	0			
48	1	Do. Nelson ...	15	0	0			
49	1	Do. Perth, East, West, and North (4) ...	190	0	0			
50	1	Do. Pilbarra ...	20	0	0			
51	1	Do. Roebourne ...	20	0	0			
52	1	Do. South-West Mining ...	25	0	0			
53	1	Do. South Perth ...	50	0	0			
54	1	Do. Sussex ...	20	0	0			
55	1	Do. Toodyay ...	20	0	0			
56	1	Do. Wellington ...	15	0	0			
57	1	Do. Williams ...	20	0	0			
58	1	Do. Yilgarn ...	20	0	0			
59	1	Do. York... ...	20	0	0			
CONTINGENCIES—£26,300.								
60	...	Extra Assistance in the Preparation of Electoral Rolls, Fees to Returning and Presiding Officers, Clerks, Municipal Councils and Roads Boards, Advertising, and other Expenses in connection with Elections ...	1300	0	0			
61	...	Referendum ...	5000	0	0			
		Total Office Colonial Secretary ...	...			12081	0	0
MEDICAL.								
SALARIES, FIXED—£25,233 12s. 6d.								
1	1	†Principal Medical Officer ...	500	0	0			
2	1	Chief Clerk ...	250	0	0			
3	1	Accountant ...	190	0	0			
4	1	Shorthand Clerk and Typist ...	160	0	0			
5	1	*Bookkeeper ...	156	0	0			
6	1	Messenger ...	52	0	0			
7	1	District Medical Officer ...	100	0	0			
8	1	Quarantine Officer ...	200	0	0			
9	1	Albany ... Matron ...	100	0	0			
10	1	Nurse ...	60	0	0			
11	1	Do. ...	60	0	0			
		Carried forward ...	1828	0	0	12081	0	0

* Previously under Salaries "Provisional and Temporary."

† Receives £200 as Officer controlling Sea Quarantine.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			12081	0	0
		Medical—continued.						
		Brought forward ...	1828	0	0			
		SALARIES, FIXED—continued.						
12	1	Orderly ...	52	0	0			
13	1	Cook ...	52	0	0			
14	1	Housemaid...	39	0	0			
15	1	<i>Albany</i> { Caretaker, Quarantine Station...	85	0	0			
16	1	(cont.) { Matron do. ...	50	0	0			
17	1	{ Assistant do. ...	35	0	0			
18	1	<i>Beverley</i> ... { District Medical Officer ...	150	0	0			
19	1	{ District Medical Officer ...	150	0	0			
20	1	<i>Bridgetown</i> { Nurse in Charge ...	75	0	0			
21	1	{ Orderly ...	52	0	0			
22	1	{ Cook and Laundress ...	52	0	0			
23	1	{ District Medical Officer and Quarantine Officer...	250	0	0			
24	1	<i>Broome</i> ... { Orderly ...	90	0	0			
25	1	{ Cook ...	60	0	0			
26	1	{ District Medical Officer and Quarantine Officer...	200	0	0			
27	1	Matron ...	100	0	0			
28	1	Charge Nurse ...	60	0	0			
29	1	Do. ...	60	0	0			
30	1	Do. ...	60	0	0			
31	1	Nurse ...	52	0	0			
32	1	Do. ...	52	0	0			
33	1	Do. Junior ...	40	0	0			
34	1	<i>Bunbury</i> ... { Do. do. ...	40	0	0			
35	1	Housemaid...	39	0	0			
36	1	Wardsmaid ...	39	0	0			
37	1	Do. ...	39	0	0			
38	1	Orderly ...	52	0	0			
39	1	Cook ...	52	0	0			
40	1	Laundress ...	78	0	0			
41	1	Wardsman, Secretary and Dispenser ...	60	0	0			
42	1	{ District Medical Officer and Quarantine Officer...	150	0	0			
43	1	<i>Busselton</i> { Orderly ...	52	0	0			
44	1	{ Cook and Laundress ...	52	0	0			
45	1	{ District Medical Officer and Quarantine Officer...	250	0	0			
46	1	<i>Carnarvon</i> { Orderly ...	60	0	0			
47	1	{ Cook and Laundress ...	60	0	0			
48	1	{ District Medical Officer ...	250	0	0			
49	1	Resident Physician ...	350	0	0			
50	1	<i>Coolgardie</i> { Secretary ...	208	0	0			
51	1	{ Dispenser ...	160	0	0			
52	1	Matron ...	150	0	0			
53	1	Night Superintendent ...	85	0	0			
		Carried forward ...	5870	0	0	12081	0	0

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			12081	0	0
		Medical—continued.						
		Brought forward ...	5870	0	0			
		SALARIES, FIXED—continued.						
54	1	Charge Nurse ...	80	0	0			
55	1	Do. ...	80	0	0			
56	1	Do. ...	80	0	0			
57	1	Nurse ...	70	0	0			
58	1	Do. ...	70	0	0			
59	1	Do. ...	70	0	0			
60	1	Do. ...	70	0	0			
61	1	Do. ...	70	0	0			
62	1	Do. ...	70	0	0			
63	1	Do. Probationer ...	36	0	0			
64	1	Do. do. ...	36	0	0			
65	1	Do. do. ...	36	0	0			
66	1	Do. do. ...	24	0	0			
67	1	Do. do. ...	24	0	0			
68	1	Wardsman ...	90	0	0			
69	1	Do. ...	90	0	0			
70	1	Wardmaid ...	52	0	0			
71	1	Do. ...	52	0	0			
72	1	Do. ...	52	0	0			
73	1	Yardsman ...	90	0	0			
74	1	Cook, Chief ...	100	0	0			
75	1	Cook's Assistant ...	75	0	0			
76	1	Laundress ...	100	0	0			
77	1	Do. Assistant ...	75	0	0			
78	1	Housemaid, Chief ...	65	0	0			
79	1	Do. ...	52	0	0			
80	1	District Medical Officer ...	250	0	0			
81	1	Matron ...	100	0	0			
82	1	Nurse ...	70	0	0			
83	1	Do. ...	70	0	0			
84	1	Do. ...	70	0	0			
85	1	Orderly ...	90	0	0			
86	1	Cook ...	90	0	0			
87	1	Laundress ...	90	0	0			
88	1	Housemaid ...	52	0	0			
89	1	District Medical Officer ...	150	0	0			
90	1	District Medical Officer and Quarantine Officer ...	100	0	0			
91	1	Orderly ...	90	0	0			
92	1	District Medical Officer and Quarantine Officer ...	150	0	0			
93	1	Nurse and Cook ...	50	0	0			
94	1	District Medical Officer and Quarantine Officer ...	300	0	0			
95	1	Superintending Medical Officer, Lunatic Asylum, 6 months at £250 per annum and 6 months at £700 per annum	475	0	0			
		Carried forward ...	9776	0	0	12081	0	0

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			12081	0	0
		Medical—continued.						
		Brought forward	...	9776	0 0			
		SALARIES, FIXED—continued.						
96	1	Matron, Lunatic Asylum	...	100	0 0			
97	1	Attendant (female) do.	...	52	0 0			
98	1	Do. do.	...	52	0 0			
99	1	Do. do.	...	50	0 0			
100	1	Attendant do.	...	50	0 0			
101	1	Do. do.	...	50	0 0			
102	1	Do. do.	...	44	0 0			
103	1	Do. do.	...	44	0 0			
104	1	Do. do.	...	44	0 0			
105	1	Do. and Laundress do.	...	50	0 0			
106	1	Do. and Cook do.	...	44	0 0			
107	1	Chief Attendant do.	...	190	0 0			
108	1	Attendant in Charge do.	...	150	0 0			
109	1	Do. do.	...	150	0 0			
110	1	Do. do.	...	145	0 0			
111	1	Do. do.	...	145	0 0			
112	1	Do. do.	...	145	0 0			
113	1	Do. do.	...	140	0 0			
114	1	Do. and Clerk do.	...	140	0 0			
115	1	Do. do.	...	105	0 0			
116	1	Do. do.	...	105	0 0			
117	1	Do. do.	...	105	0 0			
118	1	Do. do.	...	105	0 0			
119	1	Do. do.	...	105	0 0			
120	1	Do. do.	...	105	0 0			
121	1	Do. do.	...	105	0 0			
122	1	Do. do.	...	105	0 0			
123	1	Do. Relieving do.	...	105	0 0			
124	1	Do. and Baker do.	...	105	0 0			
125	1	Do. and Cook do.	...	105	0 0			
126	1	Do. and Gardener do.	...	105	0 0			
127	1	Caretaker, Woodman's Point Quarantine Station	...	104	0 0			
128	1	Matron do.	...	52	0 0			
129	1	Caretaker, Carnac Island Quarantine Station	...	104	0 0			
130	1	Master s.s. "Waratah"	...	200	0 0			
131	1	Engineer do.	...	200	0 0			
132	1	Deck Hand do.	...	118	12 6			
133	1	District Medical Officer and Quarantine Officer	...	250	0 0			
134	1	Matron	...	90	0 0			
135	1	Nurse	...	60	0 0			
136	1	Do.	...	60	0 0			
137	1	Do. Probationer	...	36	0 0			
138	1	Orderly	...	60	0 0			
		Carried forward	..	14155	12 6	12081	0	0

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			12081	0	0
		Medical—continued.						
		Brought forward ...	14155	12	6			
		SALARIES, FIXED—continued.						
139	1		52	0	0			
140	1	<i>Geraldton</i> { Cook ...	60	0	0			
141	1	(cont.) { Laundress ...	39	0	0			
142	1	{ Housemaid ...	40	0	0			
143	1	<i>Greenough</i> ... { Secretary ...	150	0	0			
144	1	{ District Medical Officer ...	150	0	0			
145	1	{ District Medical Officer ...	90	0	0			
146	1	<i>Guildford</i> ... { Matron ...	60	0	0			
147	1	{ Nurse ...	60	0	0			
148	1	{ Do. ...	60	0	0			
149	1	{ Orderly ...	52	0	0			
150	1	{ Cook ...	39	0	0			
151	1	<i>Jarrahdale</i> ... { Housemaid ...	150	0	0			
152	1	{ District Medical Officer ...	250	0	0			
153	1	{ District Medical Officer ...	350	0	0			
154	1	{ Resident Physician ...	208	0	0			
155	1	{ Secretary and Dispenser ...	150	0	0			
156	1	{ Matron ...	85	0	0			
157	1	{ Night Superintendent ...	80	0	0			
158	1	{ Charge Nurse ...	80	0	0			
159	1	{ Do. ...	80	0	0			
160	1	{ Do. ...	80	0	0			
161	1	{ Do. ...	70	0	0			
162	1	<i>Kalgoorlie</i> ... { Nurse ...	70	0	0			
163	1	{ Do. ...	70	0	0			
164	1	{ Do. ...	70	0	0			
165	1	{ Do. ...	70	0	0			
166	1	{ Do. ...	70	0	0			
167	1	{ Do. ...	70	0	0			
168	1	{ Do. ...	70	0	0			
169	1	{ Do. ...	70	0	0			
170	1	{ Do. ...	70	0	0			
171	1	{ Do. ...	70	0	0			
172	1	{ Do. Probationer ...	36	0	0			
173	1	{ Do. do. ...	24	0	0			
174	1	{ Do. do. ...	24	0	0			
175	1	{ Wardsman ...	90	0	0			
176	1	{ Do. ...	90	0	0			
177	1	{ Wardsmaid ...	52	0	0			
178	1	{ Do. ...	52	0	0			
179	1	{ Do. ...	52	0	0			
180	1	{ Do. ...	52	0	0			
181	1	{ Do. ...	52	0	0			
182	1	{ Cook, Chief ...	100	0	0			
183	1	{ Do. Assistant ...	75	0	0			
184	1	{ Kitchenmaid ...	52	0	0			
		Carried forward ...	18041	12	6	12081	0	0

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Personnel.		£	s.	d.	£	s.	d.
		Brought forward ...	...			12081	0	0
		Medical—continued.						
		Brought forward ...	18041	12	6			
		SALARIES, FIXED—continued.						
185	1	Kalgoorlie { Housemaid ...	52	0	0			
186	1	Do. ...	52	0	0			
187	1	Laundress ...	100	0	0			
188	1	Do. Assistant ...	75	0	0			
189	1	Yardsman ...	90	0	0			
190	1	Karridale ... District Medical Officer and Quarantine Officer ...	150	0	0			
191	1	Katanning ... District Medical Officer ...	150	0	0			
192	1	Nurse in Charge ...	75	0	0			
193	1	Cook and Laundress ...	52	0	0			
194	1	District Medical Officer ...	250	0	0			
195	1	Marble Bar { Orderly ...	100	0	0			
196	1	Cook ...	100	0	0			
197	1	District Medical Officer ...	250	0	0			
198	1	Nurse in Charge ...	100	0	0			
199	1	Nurse ...	75	0	0			
200	1	Menzies ... Do. ...	75	0	0			
201	1	Cook and Laundress ...	100	0	0			
202	1	Orderly ...	90	0	0			
203	1	Housemaid ...	52	0	0			
204	1	Mingenew ... District Medical Officer ...	62	0	0			
205	1	Newcastle ... District Medical Officer ...	150	0	0			
206	1	Cook and Orderly ...	60	0	0			
207	1	District Medical Officer ...	150	0	0			
208	1	Matron ...	75	0	0			
209	1	Northam ... Nurse ...	60	0	0			
210	1	Do. ...	60	0	0			
211	1	Orderly ...	52	0	0			
212	1	Cook ...	52	0	0			
213	1	Northampton District Medical Officer ...	150	0	0			
214	1	Onslow ... District Medical Officer, 6 months at £250 per annum ...	125	0	0			
215	1	Pinjarrah ... District Medical Officer ...	150	0	0			
216	1	Nurse and Cook ...	60	0	0			
217	1	Perth ... District Medical Officer ...	250	0	0			
218	1	District Medical Officer and Quarantine Officer ...	200	0	0			
219	1	Roebourne ... Orderly ...	100	0	0			
220	1	Cook ...	60	0	0			
221	1	District Medical Officer ...	200	0	0			
222	1	Matron ...	100	0	0			
223	1	Nurse ...	70	0	0			
224	1	Do. ...	70	0	0			
225	1	Orderly ...	90	0	0			
226	1	Cook and Laundress ...	100	0	0			
227	1	Housemaid ...	52	0	0			
		Carried forward ...	22527	12	6	12081	0	0

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			12081	0	0
		Medical—continued.						
		Brought forward ...	22527	12	6			
		SALARIES, FIXED—continued.						
228	1	Victoria Plains } District Medical Officer ...	150	0	0			
229	1	Wagin ... District Medical Officer ...	150	0	0			
230	1	Chief Attendant ...	175	0	0			
231	1	Attendant in Charge ...	125	0	0			
232	1	Attendant ..	120	0	0			
233	1	Do. ...	120	0	0			
234	1	Whitby Falls } Do. ...	120	0	0			
235	1	Lunatic } Do. ...	120	0	0			
236	1	Asylum } Do. ...	115	0	0			
237	1	Do. and Cook ...	100	0	0			
238	1	Foreman of Farm ...	104	0	0			
239	1	Ploughman ...	65	0	0			
240	1	Farm Hand ...	65	0	0			
241	1	District Medical Officer ...	150	0	0			
242	1	Williams } Orderly and Cook ...	60	0	0			
243	1	Laundress ...	13	0	0			
244	1	Wyndham } District Medical Officer and Quarantine Officer ...	250	0	0			
245	1	Orderly ...	100	0	0			
246	1	District Medical Officer... ..	150	0	0			
247	1	Matron ...	90	0	0			
248	1	York } Nurse ...	60	0	0			
249	1	Orderly ...	52	0	0			
250	1	Cook ...	52	0	0			
		Sea Quarantine.						
251	1	*Officer controlling Sea Quarantine ...	200	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£1,290.						
252	1	Clerk ...	150	0	0			
253	1	Do. ...	140	0	0			
254	...	Do. ...	70	0	0			
255	1	Whitby Asylum, Dairywoman ...	52	0	0			
256	1	Clerk to Superintendent of Vaccinations ...	30	0	0			
257-260	4	Quarantine Experts, 4 Members at £12 per annum each	48	0	0			
261	...	Temporary Labour and Relieving Officers ...	800	0	0			
		ALLOWANCES—£1,712.						
262	...	Principal Medical Officer, Forage ...	50	0	0			
263	...	District Medical Officer, Albany, Drug ...	40	0	0			
264	...	Do. Beverley, Drug ...	18	0	0			
265	...	Do. Bridgetown, Drug ...	24	0	0			
266	...	Do. Broome, Drug ...	30	0	0			
267	...	Do. Broome, House ...	50	0	0			
		Carried forward ...	26735	12	6	12081	0	0

* Receives £500 as Principal Medical Officer.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			12081	0	0
		Medical—continued.						
		Brought forward	...	26735	12 6			
		ALLOWANCES—continued.						
268	...	District Medical Officer, Carnarvon, Drug	...	24	0 0			
269	...	Do. Coolgardie, House	...	100	0 0			
270	...	Do. Cue, Forage	...	50	0 0			
271	...	Do. Dongara, Drug	...	12	0 0			
272	...	Do. Derby, Drug	...	30	0 0			
273	...	Do. Esperance, Drug	...	24	0 0			
274	...	Do. Fremantle, Drug	...	80	0 0			
275	...	Superintendent Lunatic Asylum, Fremantle, House	...	100	0 0			
276	...	Attendant Nugent, Fremantle Asylum, House	...	25	0 0			
277-280	14	Attendants, Fremantle Asylum, House, at £15 per annum	...	210	0 0			
281-301	11	Attendants, Fremantle Asylum, Rations, at £26 each	...	286	0 0			
302	...	Caretaker, Woodman's Point Quarantine Station, Forage	...	20	0 0			
303	...	District Medical Officer, Greenough, Drug	...	12	0 0			
304	...	Do. Guildford, Drug	...	24	0 0			
305	...	Do. Jarrahdale, Drug	...	12	0 0			
306	...	Do. Katanning, Drug	...	24	0 0			
307	...	Do. Do. House	...	50	0 0			
308	...	Do. Marble Bar, Drug	...	50	0 0			
309	...	Do. Newcastle, Drug	...	24	0 0			
310	...	Do. Do. House	...	30	0 0			
311	...	Do. Northam, House	...	30	0 0			
312	...	Do. Pinjarrah, Drug	...	24	0 0			
313	...	Do. Victoria Plains, Drug	...	12	0 0			
314	...	Do. Williams, Drug	...	24	0 0			
315	...	Do. Wyndham, Drug	...	30	0 0			
316	...	Do. Wagin, Drug	...	12	0 0			
317	...	Do. do. House	...	50	0 0			
318	...	Chaplain, Whitby Asylum, Church of England	...	50	0 0			
319	...	Do. do. Roman Catholic Church	...	25	0 0			
320	...	Farm Foreman, Whitby Asylum, Rations	...	26	0 0			
321	...	District Medical Officer, York, Drug	...	30	0 0			
		CONTINGENCIES—£50,465 7s. 6d.						
322	...	Provisions, Washing for Patients, etc., at Government Hospitals	...	10500	0 0			
323	...	Lunatic Asylum, Provisions, Bedding and Clothing, etc.	...	6500	0 0			
324	...	Bedding and Clothing for Hospitals	...	700	0 0			
325	...	Medicines and Surgical Instruments for Hospitals	...	1700	0 0			
326	...	Furniture for Hospitals	...	400	0 0			
327	...	Uniform for Warders, Lunatic Asylums; also Nurses and Orderlies at Hospitals	...	450	0 0			
328	...	Vaccination Fees	...	100	0 0			
329	...	*Sanitation Expenses	...	900	0 0			
		Carried forward	...	49485	12 6	12081	0	0

* Previously classified under Incidental Expenses.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			12081	0	0
		Medical—continued.						
		Brought forward ...	49485	12	6			
		CONTINGENCIES—continued.						
330	...	*Travelling Expenses ...	900	0	0			
331	...	Incidental Expenses ...	500	0	0			
332	...	Quarantine Stations and Hospitals for Infectious Diseases ...	600	0	0			
333	...	Fuel and Light ...	1200	0	0			
334	...	Postage, Telegrams, and Telephone Rent ...	300	0	0			
335	...	Stationery, Typewriters, etc. ...	125	0	0			
336	...	Minor Urgent Repairs at Government Hospitals ...	150	0	0			
337	...	Grants to assisted Hospitals towards Salary of Medical Officer ...	1700	0	0			
338	...	Grant to Collielfields and Donnybrook Local Boards of Health towards Salaries of Medical Officers, £100 each ...	200	0	0			
339	...	£ for £ Subsidy, and Grant towards Maintenance of Indigent Patients treated in assisted Hospitals ...	8000	0	0			
340	...	Fremantle Public Hospital ...	5000	0	0			
341	...	Perth Public Hospital ...	9000	0	0			
342	...	Bulong Hospital, Grant-in-Aid ...	300	0	0			
343	...	Collielfields Hospital, Grant-in-Aid ...	150	0	0			
344	...	Kurnalpi Hospital, Grant-in-Aid ...	50	0	0			
345	...	Leonora Hospital, Grant-in-Aid ...	250	0	0			
346	...	Menzies Hospital, Grant-in-Aid ...	400	0	0			
347	...	Norseman Hospital, Grant-in-Aid ...	90	7	6			
348	...	Nannine Hospital, Grant-in-Aid ...	150	0	0			
349	...	Repairs to Machinery, etc., and Alterations to Quarantine Launch ...	150	0	0			
		Total Medical ...	...			78701	0	0
		GAOLS.						
		SALARIES, FIXED—£9,561 5s.						
1	1	Inspector of Prisons ...	150	0	0			
2	1	Superintendent ...	350	0	0			
3	1	Surgeon ...	150	0	0			
4	1	Chaplain, Church of England ...	175	0	0			
5	1	Do. Roman Catholic Church ...	125	0	0			
		Clerical Staff.						
6	1	+Chief Clerk and Record-keeper, Fremantle Prison ...	270	0	0			
7	1	†Storekeeper do. ...	180	0	0			
8	1	Store Clerk, do. ...	130	0	0			
9	1	Assistant Clerk, Fremantle Prison ...	110	0	0			
10	1	Clerk (Inspector of Prisons Office, Perth) ...	155	0	0			
		Carried forward ...	1795	0	0	90782	0	0

* Previously classified under Incidental Expenses. † Formerly Chief Clerk and Storekeeper. ‡ Formerly Record Clerk.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			90782	0	0
		Gaols—continued.						
		Brought forward ...	1795	0	0			
		SALARIES, FIXED—continued.						
		DISCIPLINARY STAFF.						
		<i>Officer, 1st Class.</i>						
11	1	Chief Warder, Fremantle Prison ...	165	0	0			
		<i>Officers, 2nd Class.</i>						
12	1	Principal Warder, Fremantle Prison ...	153	0	0			
13	1	Do. do. ...	149	0	0			
14	1	Do. do. ...	149	0	0			
15	1	Senior Warder, do. ...	153	0	0			
16	1	Do. do. ...	147	0	0			
17	1	Do. do. ...	143	0	0			
18	1	Do. do. ...	138	0	0			
19	1	Do. do. ...	138	0	0			
20	1	Gaoler, Albany ...	167	10	0			
21	1	Do. Broome ...	160	0	0			
22	1	Do. Bunbury ...	15	0	0			
23	1	Do. Busselton ...	15	0	0			
24	1	Do. Carnarvon ...	165	0	0			
25	1	Do. Derby ...	146	0	0			
26	1	Do. Geraldton ...	167	10	0			
27	1	Do. Newcastle ...	15	0	0			
28	1	Do. Roebourne ...	167	10	0			
29	1	Do. Wyndham ...	165	0	0			
30	1	Do. York ...	15	0	0			
		<i>Officers, 3rd Class.</i>						
31	1	Warder, Broome ...	136	0	0			
32	1	Do. Carnarvon ...	144	0	0			
33	1	Do. Derby ...	131	15	0			
34	1	Do. do. ...	122	0	0			
35	1	Do. Fremantle (1st grade) ...	148	0	0			
36	1	Do. do. do. ...	136	0	0			
37	1	Do. do. do. ...	136	0	0			
38	1	Do. do. do. ...	136	0	0			
39	1	Do. do. do. ...	134	0	0			
40	1	Do. do. do. ...	134	0	0			
41	1	Do. do. do. ...	134	0	0			
42	1	Do. do. do. ...	130	0	0			
43	1	Do. do. do. ...	130	0	0			
44	1	Do. do. do. ...	130	0	0			
45	1	Do. do. do. ...	130	0	0			
46	1	Do. do. do. ...	128	0	0			
47	1	Do. do. do. ...	128	0	0			
48	1	Do. do. do. ...	128	0	0			
		Carried forward ...	6724	5	0	90782	0	0

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			90782	0	0
		Gaols—continued.						
		Brought forward	6724	5	0			
		SALARIES, FIXED—continued.						
		<i>Officers, 3rd Class—continued.</i>						
49	1	Warder, Fremantle (1st grade)	128	0	0			
50	1	Do. do. do.	128	0	0			
51	1	Do. do. (2nd grade), at 7s. per diem	127	15	0			
52	1	Do. do. do. do.	127	15	0			
53	1	Do. do. do. do.	127	15	0			
54	1	Do. do. do. do.	127	15	0			
55	1	Do. do. do. do.	127	15	0			
56	1	Do. do. do. do.	127	15	0			
57	1	Do. do. do. do.	127	15	0			
58	1	Do. do. do. do.	127	15	0			
59	1	Do. do. do. do.	127	15	0			
60	1	Do. do. do. do.	127	15	0			
61	1	Do. do. do. do.	127	15	0			
62	1	Do. do. do. do.	127	15	0			
63	1	Keeper of Clocks, Fremantle	10	0	0			
64	1	Hospital Assistant, do.	15	0	0			
65	1	Warder, Geraldton	144	0	0			
66	1	Do. do.	140	0	0			
67	1	Do. Roebourne	140	0	0			
68	1	Do. do.	136	0	0			
69	1	Do. do.	136	0	0			
70	1	Matron, Fremantle Prison	85	0	0			
71	1	Assistant do.	70	0	0			
72	1	Do. do.	70	0	0			
73	1	Do. do.	54	0	0			
74	1	Matron, Albany	12	0	0			
75	1	Do. Carnarvon	12	0	0			
76	1	Do. Geraldton	12	0	0			
77	1	Do. Roebourne	12	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£1,067 7s. 6d.						
78	1	Messenger, Fremantle Prison	60	0	0			
79	1	Do. Invalid Depôt, Fremantle, at 1s. 6d. per diem	27	7	6			
80	1	Bailiff's Officer	60	0	0			
81	1	Cook, Broome	60	0	0			
82	1	Do. Derby	60	0	0			
83	...	Warders occasionally employed	800	0	0			
		ALLOWANCES—£377.						
84	...	Allowance to Surgeon for dispensing Medicines	72	0	0			
85	...	Allowance in lieu of lodgings to Gaoler at Broome	25	0	0			
86	...	Do. do. do. Warder at Broome	25	0	0			
87	...	Do. do. do. Gaoler at Derby	25	0	0			
88	...	Do. do. do. Warder at Derby	25	0	0			
89	...	Do. do. do. do. do.	25	0	0			
		Carried forward	10825	12	6	90782	0	0

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			90782	0	0
		Gaols—continued.						
		Brought forward ...	10825	12	6			
		ALLOWANCES—continued.						
90	...	Special Allowance to Gaoler, Carnarvon ...	10	0	0			
91	...	Do. do. do. Roebourne ...	5	0	0			
92	...	Do. do. Warders, Roebourne ...	15	0	0			
93	...	Tropical Allowance to Gaoler, Broome ...	30	0	0			
94	...	Do. do. do. Carnarvon ...	30	0	0			
95	...	Do. do. do. Derby ...	30	0	0			
96	...	Do. do. do. Roebourne ...	30	0	0			
97	...	Do. do. do. Wyndham ...	30	0	0			
		CONTINGENCIES—£14,900.						
98	...	Transport of Prisoners ...	1100	0	0			
99	...	Provisions, etc., for Prisoners in charge of Police ...	2800	0	0			
100	...	Do. do. in Gaols ...	7700	0	0			
101	...	Bedding and Clothing ...	1400	0	0			
102	...	Uniform for Gaolers and Warders ...	220	0	0			
103	...	Incidental Expenses (including Travelling Expenses) ...	350	0	0			
104	...	Postage, Telephone Rent, and Foreign Telegrams ...	100	0	0			
105	...	*Stationery, Typewriters, etc. ...	30	0	0			
106	...	Assistance to Prisoners on discharge from Gaol ...	100	0	0			
107	...	Upkeep Horses and Carts ...	250	0	0			
108	...	Water, Lighting, Fuel, and Sanitary Services ...	850	0	0			
		Total Gaols ...	...			25905	12	6
		ROTTNEST ESTABLISHMENT.						
		SALARIES, FIXED—£1,352 10s.						
1	1	Superintendent ...	400	0	0			
2	1	Principal Warder ...	152	10	0			
3	1	Senior Warder ...	130	0	0			
4	1	Warder ...	130	0	0			
5	1	Do. ...	125	0	0			
6	1	Night Warder ...	115	0	0			
7	1	Medical Officer ...	100	0	0			
8	1	Clerk and Superintendent of Salt Works, Medical Dispenser, and Heliographer ...	200	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£50.						
9	...	Temporary Warders ...	50	0	0			
		ALLOWANCES—£59 9s.						
10	...	Table Allowance, Superintendent ...	50	0	0			
11	...	Drug Allowance to Medical Officer ...	9	9	0			
		Carried forward ...	1461	19	0	116687	12	6

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			116687	12	6
		Rottnest Establishment—continued.						
		Brought forward ...	1461	19	0			
		CONTINGENCIES—£1,320.						
12	...	Clothing ...	180	0	0			
13	...	Provisions and other necessities ...	650	0	0			
14	...	Tools, Carts, Harness, Requisites for garden and farm...	130	0	0			
15	...	Salt Works ...	80	0	0			
16	...	Transport to and from Rottnest ...	150	0	0			
17	...	Uniform for Warders ...	50	0	0			
18	...	Incidental Expenses (including Travelling Expenses) ...	50	0	0			
19	...	Postage ...	20	0	0			
20	...	Stationery, Typewriters, etc. ...	10	0	0			
		Total Rottnest Establishment ...	...			2781	19	0
		PRINTING.						
		SALARIES, FIXED—£5,530.						
1	1	Government Printer ...	550	0	0			
2	1	Chief Clerk ...	375	0	0			
3	1	Clerk ...	240	0	0			
4	1	Do. ...	210	0	0			
5	1	Superintendent ...	330	0	0			
6	1	Overseer ...	250	0	0			
7	1	Sub-Overseer ...	210	0	0			
8	1	Ticket Printer ...	200	0	0			
9	1	Compositor (Sub-Foreman as required) ...	180	0	0			
10	1	Do. do. ...	180	0	0			
11	1	Do. do. ...	180	0	0			
12	1	Do. ...	160	0	0			
13	1	Do. ...	160	0	0			
14	1	Do. ...	145	0	0			
15	1	Do. ...	152	0	0			
16	1	Machinist (Foreman) ...	250	0	0			
17	1	Machinist ...	210	0	0			
18	1	Do. ...	165	0	0			
19	1	Bookbinder (Foreman) ...	220	0	0			
20	1	Do. ...	155	0	0			
21	1	* Do. Overseer (females) ...	133	0	0			
22	1	Machine Paper Ruler ...	200	0	0			
23	1	Engineer ...	225	0	0			
24	1	Engine Driver ...	150	0	0			
25-30	6	Apprentices and Messengers from 8s. to 32s. per week ...	300	0	0			
		Carried forward ...	5530	0	0	119469	11	6

* Previously under Salaries, Provisional and Temporary

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...				119469	11	6
		Printing—continued.						
		Brought forward ...	5580	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£16,321.						
31	1	Compositor, at 9s. 6d. per day ...	148	13	6			
32	1	Do. „ 9s. 6d. „ ...	148	13	6			
33	1	Do. „ 9s. 6d. „ ...	148	13	6			
34	1	Do. „ 9s. 6d. „ (acting as Clerk) ...	148	13	6			
35	1	Do. „ 9s. „ ...	140	17	0			
36	1	Do. „ 11s. „ (acting as Reader) ...	172	3	0			
37	1	Do. „ 9s. 6d. „ do. do. ...	148	13	6			
38	1	Do. „ 9s. „ ...	140	17	0			
39	1	Do. „ 9s. „ ...	140	17	0			
40	1	Do. „ 9s. „ ...	140	17	0			
41	1	Do. „ 9s. „ ...	140	17	0			
42	1	Do. „ 9s. „ ...	140	17	0			
43	1	Do. „ 9s. „ ...	140	17	0			
44	1	Do. „ 9s. „ ...	140	17	0			
45	1	Do. „ 9s. „ ...	140	17	0			
46	1	Do. „ 9s. „ ...	140	17	0			
47	1	Do. „ 9s. „ ...	140	17	0			
48	1	Do. „ 9s. „ ...	140	17	0			
49	1	Do. „ 9s. „ ...	140	17	0			
50	1	Do. „ 9s. „ ...	140	17	0			
51	1	Do. „ 9s. „ ...	140	17	0			
52	1	Do. „ 9s. „ ...	140	17	0			
53	1	Do. „ 9s. „ ...	140	17	0			
54	1	Do. „ 9s. „ ...	140	17	0			
55	1	Do. „ 9s. „ ...	140	17	0			
56	1	Machinist „ 9s. 6d. „ ...	148	13	6			
57	1	Do. „ 9s. 6d. „ ...	148	13	6			
58	1	Do. „ 9s. 6d. „ ...	148	13	6			
59	1	Do. „ 9s. „ ...	140	17	0			
60	1	Do. „ 9s. „ ...	140	17	0			
61	1	Bookbinder „ 9s. 6d. „ ...	148	13	6			
62	1	Do. „ 9s. „ ...	140	17	0			
63	1	Do. „ 9s. „ ...	140	17	0			
64	1	Do. „ 9s. „ ...	140	17	0			
65	1	Do. „ 9s. „ ...	140	17	0			
66	1	Assistant in Warehouse, at 9s. 6d. per day ...	148	13	6			
67	1	Stereotyper, at 9s. per day ...	140	17	0			
68	...	Extra Labour ...	11000	0	0			
		ALLOWANCES—£100.						
69	...	House Allowance, in lieu of quarters to Government Printer ...	100	0	0			
		Carried forward ...	21951	0	0	119469	11	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			119469	11	6
		Printing—continued.						
		Brought forward ...	21951	0	0			
		CONTINGENCIES—£9,600.						
70	...	New Machinery, Type, etc. ...	3000	0	0			
71	...	Incidental Expenses ...	300	0	0			
72	...	Water, Fuel, Light, and Sanitary ...	450	0	0			
73	...	Postage and Telephone Rent ...	300	0	0			
74	...	Stationery (Office) ...	50	0	0			
75	...	Stationery (printing paper, etc.) for Public Service generally ...	5500	0	0			
		Total Printing ..	...			31551	0	0
		REGISTRY.						
		SALARIES, FIXED—£3,140.						
1	1	Registrar General, Registrar of Brands, Registrar of Patents, Registrar of Designs and Trade Marks ...	500	0	0			
		General Registry Branch.						
2	1	Chief Clerk and Accountant ...	200	0	0			
3	1	Registry Clerk ...	170	0	0			
4	1	Record Clerk ...	130	0	0			
5	1	Clerk and Typist ...	65	0	0			
		District Registry Office.						
6	1	District Registrar ...	285	0	0			
7	1	Clerk ...	100	0	0			
		Statistical Branch.						
8	1	Compiler of General Statistics ...	250	0	0			
9	1	Statistical Clerk ...	220	0	0			
10	1	Assistant do. ...	190	0	0			
11	1	Do. do. ...	180	0	0			
		Patents Branch.						
12	1	Chief Clerk ...	300	0	0			
13	1	Clerk and Librarian ...	290	0	0			
14	1	Junior Clerk ...	140	0	0			
15	1	Do. do. ...	120	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£3,770.						
16	1	Assistant Statistical Clerk ...	170	0	0			
17	1	Do. do. ...	170	0	0			
18	1	Do. do. ...	170	0	0			
19	1	Do. do. ...	160	0	0			
		Carried forward ...	3810	0	0	151020	11	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			151020	11	6
		Registry—continued.						
		Brought forward ...	3810	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—continued.						
20	1	* Clerk and Messenger ...	50	0	0			
21	...	Temporary Clerical Assistance ...	50	0	0			
		CONTINGENCIES—£1,530.						
22	...	Incidental Expenses (including Travelling Expenses) ...	50	0	0			
23	...	† Stationery, Typewriters ...	50	0	0			
24	...	Postage, Telephone Rent, and Foreign Telegrams ...	200	0	0			
25	...	Fees to District Registrars ...	450	0	0			
26	...	Expenses connected with Collection of Industrial and other Statistics ...	350	0	0			
27	...	Fees to Examiners ...	200	0	0			
28	...	Registration of Vaccinations, Births and Deaths of Paupers ...	30	0	0			
29	...	Grant to Patent Library and for compilation of "Abridgments" ...	200	0	0			
		Census of the Colony, 1901.						
		SALARIES, PROVISIONAL AND TEMPORARY—£1,750.						
30	...	Enumerators, Sub-enumerators, and Clerical Assistance ...	1750	0	0			
		CONTINGENCIES—£1,250.						
31	...	Incidental Expenses ...	1250	0	0			
		Total Registry ...				8440	0	0
		FRIENDLY SOCIETIES.						
		SALARIES, FIXED—£830.						
1	1	Registrar of Friendly and Benefit Building Societies and Government Actuary ...	450	0	0			
2	1	Clerk ...	200	0	0			
3	1	Clerk ‡ ...	180	0	0			
		CONTINGENCIES—£50.						
4	...	Incidental Expenses (including Travelling Expenses) ...	15	0	0			
5	...	† Stationery, Typewriters, etc. ...	15	0	0			
6	...	Postage, Telephone Rent, and Foreign Telegrams ...	20	0	0			
		Total Friendly Societies ...				880	0	0
		Carried forward ...				160340	11	6

* Previously under Salaries, Fixed.

† Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

‡ Previously under Salaries Provisional and Temporary.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			160340	11	6
CHARITIES.								
SALARIES, FIXED—£2,015.								
1	1	Superintendent of Public Charities and Inspector of Industrial and Reformatory Schools ...	400	0	0			
2	1	Clerk and Accountant ...	200	0	0			
3	1	Clerk ...	140	0	0			
4	1	Do. ...	140	0	0			
5	1	Do. ...	120	0	0			
6	1	Matron, Perth Home ...	135	0	0			
7	1	Sub-Matron, Maternity Home ...	65	0	0			
8	1	Children's Attendant ...	50	0	0			
9	1	Hospital Nurse, Female Home ...	55	0	0			
10	1	Master, Mount Eliza Institution ...	150	0	0			
11	1	Orderly do. "Sick Ward" ...	60	0	0			
12	1	Orderly and Storekeeper, Mount Eliza Institution ...	80	0	0			
13	1	Labour Master do. ...	70	0	0			
14	1	Orderly do. ...	60	0	0			
15	1	Do. do. ...	60	0	0			
16	1	Cook do. ...	60	0	0			
17	1	Senior Nurse, Mount Eliza Infirmary ...	60	0	0			
18	1	Nurse do. ...	50	0	0			
19	1	Cook do. ...	60	0	0			
ALLOWANCES—£752 6s.								
20	1	Travelling Expenses of Inspector ...	50	0	0			
21-34	14	Allowance in lieu Rations to 14 Officers, @ £34 9s. per annum each ...	482	6	0			
35	...	Allowance to Inmates Mount Eliza Dépôt for work performed ...	220	0	0			
CONTINGENCIES—£11,730.								
36	...	*Indoor Relief ...	6500	0	0			
37	...	*Outdoor Relief ...	3300	0	0			
38	...	*Burial of Destitute, Transport, Registration of Births and Deaths, and Incidental Expenses ...	1500	0	0			
39	...	*Sanitary Fees and Lighting ...	300	0	0			
40	...	Postage, Telephone Rent, and Foreign Telegrams ...	110	0	0			
41	...	†Stationery, Typewriters ...	20	0	0			
Industrial Orphanage, Industrial and Reformatory Schools—£8,707 5s.								
42	...	Aid to Orphanage Industrial Schools ...	6500	0	0			
		Carried forward ...	20997	6	0	160340	11	6

* Previously under Maintenance of Paupers, etc.

† Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			160340	11	6
		Charities—continued.						
		Brought forward	20997	6	0			
		Industrial School, Subiaco—£1,522 5s.						
		SALARIES, PROVISIONAL AND TEMPORARY—£290.						
43	1	Superintendent	80	0	0			
44	1	Matron	60	0	0			
45	1	Teacher and General Assistant	60	0	0			
46	1	Assistant Matron	40	0	0			
47	1	Work Master	50	0	0			
		ALLOWANCES—£172 5s.						
48-52	5	In lieu of Rations to five Officers at £34 9s. per annum each	172	5	0			
		CONTINGENCIES—£1,060.						
53	...	Provisions for Inmates, Furnishing, Clothing, and Incidental Expenses	1000	0	0			
54	...	Tools and Material for new Workshop	60	0	0			
		Reformatory, Rottneest—£685.						
		SALARIES, FIXED—£230.						
55	1	Superintendent	160	0	0			
56	1	School Teacher	70	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£110.						
57	1	Work Master	110	0	0			
		ALLOWANCES—£10.						
58	1	Use of Tools (Superintendent)	10	0	0			
		CONTINGENCIES—£335.						
59	...	Clothing	70	0	0			
60	...	Provisions and other necessities	200	0	0			
61	...	Incidental Expenses	10	0	0			
62	...	Uniforms for Reformatory Officers	25	0	0			
63	...	Material for Workshop, and Garden Seeds	30	0	0			
		Total Charities	...			23204	11	0
		Carried forward	...			183545	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			183545	2	6
GOVERNMENT GARDENS AND GOVERNMENT HOUSE DOMAIN.								
		SALARIES, FIXED—£275.						
1	1	Superintendent ...	275	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£803.						
		<i>Government Gardens.</i>						
2	1	Foreman, at 8s. per day ...	146	0	0			
3	1	Labourer, at 7s. per day ...	127	15	0			
4	1	Do. do. ...	127	15	0			
		<i>Government Domain.</i>						
5	1	House Gardener, at 8s. per day ...	146	0	0			
6	1	Labourer, at 7s. per day ...	127	15	0			
7	1	Do. do. ...	127	15	0			
		CONTINGENCIES—£600.						
8	...	Incidental Expenses ...	100	0	0			
9	...	Trunking Government House Grounds ...	50	0	0			
10	...	Nomenclature of Plants ...	50	0	0			
11	...	Acclimatisation of Plants ...	50	0	0			
12	...	Upkeep of Public Grounds and Grounds connected with Public Buildings ...	200	0	0			
13	...	Improvements, Mill Point Reserve ...	150	0	0			
		Total Government Gardens, etc. ...				1678	0	0
PUBLIC HEALTH.								
		SALARIES, FIXED—£1,380.						
		<i>Central Board of Health—</i>						
1	1	* President ...	500	0	0			
2	1	Secretary and Accountant ...	250	0	0			
3	1	Chief Inspector ...	250	0	0			
4	1	Travelling Inspector ...	200	0	0			
5	1	Clerk and Typist ...	140	0	0			
6	1	Messenger ...	40	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£900.						
7	...	Temporary labour in connection with Bubonic Plague ...	500	0	0			
8	...	Special Medical Officers, Nurses, Servants, etc., in connection with Bubonic Plague ...	400	0	0			
		Carried forward ...	2280	0	0	185223	2	6

* Receives £150 as Coroner.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			185223	2	6
		Public Health—continued.						
		Brought forward	2280	0	0			
		CONTINGENCIES—£710.						
9	...	Furniture, Bedding, Clothing, etc., for infectious and contagious diseases	100	0	0			
10	...	Incidental Expenses (including Travelling Expenses and Fees to Central Board of Health)	500	0	0			
11	...	Postages, Telegrams, and Telephone Rents	40	0	0			
12	...	Stationery, Typewriters, etc.	70	0	0			
		Total Public Health				2990	0	0
EDUCATIONAL.								
		SALARIES, FIXED—£5,170.						
		Minister of Education (Civil List).						
1	1	Inspector General of Schools	650	0	0			
2	1	Secretary for Education	500	0	0			
		Inspectorial Branch.						
3	1	Chief Inspector of Schools	450	0	0			
4	1	Inspector of Schools	360	0	0			
5	1	Do. ...	360	0	0			
6	1	Do. ...	360	0	0			
7	1	Do. ...	350	0	0			
		Accounting Branch.						
8	1	Accountant	260	0	0			
9	1	Cashier <i>a</i>	220	0	0			
10	1	Clerk (Authorities)	180	0	0			
11	1	Do. (Stores) <i>a</i>	180	0	0			
12	1	Do. (Issuer)	170	0	0			
13	1	Do. ...	160	0	0			
		General Office Staff.						
14	1	Clerk (Chief Correspondence)	240	0	0			
15	1	Do. (Record)	200	0	0			
16	1	Do. <i>a</i>	210	0	0			
17	1	Do. (Statistical)	180	0	0			
18	1	Do. ...	140	0	0			
		Carried forward	5170	0	0	188213	2	6

a Previously under Salaries, Provisional and Temporary.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			188213	2	6
		Educational—continued.						
		Brought forward ...	5170	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£57,995.						
		<i>Accounting Branch.</i>						
19	1	Clerk ...	150	0	0			
20	1	Do. ...	100	0	0			
21	1	Do. ...	90	0	0			
		<i>General Office Staff.</i>						
22	1	Clerk ...	170	0	0			
23	1	Do. ...	170	0	0			
24	1	Do. ...	170	0	0			
25	1	Do. ...	150	0	0			
26	1	Do. ...	140	0	0			
27	1	Do. ...	120	0	0			
28	1	Do. ...	60	0	0			
29	1	Messenger ...	50	0	0			
30	1	Examiner of Sewing ...	75	0	0			
31	...	Compulsory Officers—Chief Comp. Officer, £220; (i.) C.O. Perth, £150; (i.) C.O. Fremantle, £140; Additional, £240 ...	750	0	0			
32	...	Government Schools ...	55000	0	0			
33	...	Evening Schools ...	700	0	0			
34	...	Caretaker Perth Central Schools a, ...	100	0	0			
		ALLOWANCES—£3,200.						
35	...	Allowances to Teachers—Forage, Lodging, etc. ...	700	0	0			
36	...	Do. for Cleaning Schools ...	2500	0	0			
		CONTINGENCIES—£13,180.						
37	...	Minor Repairs, etc. ...	1250	0	0			
38	...	Furniture, etc., for Schools ...	2300	0	0			
39	...	Books, Apparatus, etc. ...	3200	0	0			
40	...	Maintenance (Sanitary, Water, Fuel, and Light, etc.) ...	2000	0	0			
41	...	Incidental Expenses (including Travelling Expenses and Rents of Schools) ...	1500	0	0			
42	...	Postage, Telephone Rent, and Foreign Telegrams ...	1200	0	0			
43	...	*Stationery, Typewriters ...	250	0	0			
44	...	Examiners' Fees, etc. ...	130	0	0			
		Carried forward ...	78195	0	0	188213	2	6

a Previously paid from Item 36. * Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			188213	2	6
		Educational—continued.						
		Brought forward ...	78195	0	0			
		CONTINGENCIES—continued.						
45	...	Public Exhibitions ...	250	0	0			
46	...	Scholarships ...	500	0	0			
47	...	Bursaries ...	200	0	0			
48	...	Evening Schools ...	400	0	0			
		(a.) Training College—£1,275.						
		SALARIES, FIXED—£225.						
49	1	Principal of Training College (6 months at £450 p.a.)	225	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£300.						
50	...	Training of Teachers ...	300	0	0			
		CONTINGENCIES—750.						
51	...	Training of Teachers ...	500	0	0			
52	...	Scholarships ...	250	0	0			
		(b.) Technical Education—£1,300.						
		SALARIES, FIXED—£350.						
53	1	Director of Technical Education ...	350	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£450.						
54	...	Class Instructors and extra Assistance ...	450	0	0			
		CONTINGENCIES—£500.						
55	...	Technical Education ...	500	0	0			
		(b.) Manual Training—£780.						
		SALARIES, PROVISIONAL AND TEMPORARY—£580.						
56	1	Instructor in Woodwork ...	220	0	0			
57	1	Do. Cookery ...	160	0	0			
58	...	Extra Assistance ...	200	0	0			
		CONTINGENCIES—£200.						
59	...	Manual Training ...	200	0	0			
		Total Educational...	...			82900	0	0
		Carried forward ..	...			271113	2	6

a Previously under Training of Teachers. b Previously under Technical Education and Manual Training.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		POSTAL AND TELEGRAPH.						
		SALARIES, FIXED—£162,546.						
1	...	Postmaster General and General						
		Superintendent of Telegraphs ...	700	0	0			
2	...	Superintendent of Telegraphs ...	500	0	0			
3	...	Accountant ...	460	0	0			
4	...	Chief Inspector ...	440	0	0			
5	...	Telegraph Manager and Electrician	425	0	0			
6	...	Manager, Savings Bank ...	415	0	0			
7	...	Manager, Money Order Office	400	0	0			
8	...	Inspector of Mails ...	400	0	0			
9	...	Inspector of Post and Telegraphs	330	0	0			
10	...	Do. ...	330	0	0			
11	...	Do. ...	330	0	0			
12	...	Do. ...	310	0	0			
13	...	Cashier ...	310	0	0			
14	...	Clerk ...	300	0	0			
15	...	Do. ...	300	0	0			
16	...	Do. ...	250	0	0			
17	...	Do. ...	240	0	0			
18	...	Do. ...	230	0	0			
19	...	Do. ...	220	0	0			
20	...	Special Inquiry Officer ...	220	0	0			
21	...	Clerk ...	215	0	0			
22	...	Do. ...	215	0	0			
23	...	Do. ...	210	0	0			
24	...	Do. ...	210	0	0			
25	...	Do. ...	210	0	0			
26	...	Do. ...	210	0	0			
27	...	Do. ...	210	0	0			
28	...	Do. ...	200	0	0			
29	...	Do. ...	200	0	0			
30	...	Do. ...	190	0	0			
31	...	Do. ...	190	0	0			
32	...	Do. ...	190	0	0			
33	...	Do. ...	190	0	0			
34	...	Do. ...	190	0	0			
35	...	Do. ...	190	0	0			
36	...	Do. ...	190	0	0			
37	...	Do. ...	190	0	0			
38	...	Do. ...	185	0	0			
39	...	Do. ...	185	0	0			
40	...	Do. ...	185	0	0			
41	...	Do. ...	180	0	0			
42	...	Do. ...	180	0	0			
43	...	Do. ...	180	0	0			
44	...	Do. ...	180	0	0			
45	...	Do. ...	180	0	0			
46	...	Do. ...	180	0	0			
47	...	Do. ...	180	0	0			
		Carried forward ...	12325	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	12325	0 0			
		SALARIES, FIXED—continued.						
48	...	Clerk	...	180	0 0			
49	...	Do.	...	180	0 0			
50	...	Do.	...	180	0 0			
51	...	Do.	...	175	0 0			
52	...	Do.	...	175	0 0			
53	...	Do.	...	175	0 0			
54	...	Do.	...	175	0 0			
55	...	Do.	...	175	0 0			
56	...	Do.	...	175	0 0			
57	...	Do.	...	170	0 0			
58	...	Do.	...	170	0 0			
59	...	Do.	...	170	0 0			
60	...	Do.	...	170	0 0			
61	...	Do.	...	170	0 0			
62	...	Do.	...	170	0 0			
63	...	Do.	...	170	0 0			
64	...	Do.	...	170	0 0			
65	...	Do.	...	165	0 0			
66	...	Do.	...	165	0 0			
67	...	Do.	...	165	0 0			
68	...	Do.	...	165	0 0			
69	...	Do.	...	160	0 0			
70	...	Do.	...	160	0 0			
71	...	Do.	...	160	0 0			
72	...	Do.	...	160	0 0			
73	...	Do.	...	160	0 0			
74	...	Do.	...	160	0 0			
75	...	Do.	...	160	0 0			
76	...	Do.	...	160	0 0			
77	...	Do.	...	160	0 0			
78	...	Do.	...	160	0 0			
79	...	Do.	...	160	0 0			
80	...	Do.	...	155	0 0			
81	...	Do.	...	155	0 0			
82	...	Do.	...	155	0 0			
83	...	Do.	...	155	0 0			
84	...	Do.	...	155	0 0			
85	...	Do.	...	155	0 0			
86	...	Do.	...	155	0 0			
87	...	Do.	...	155	0 0			
88	...	Do.	...	155	0 0			
89	...	Do.	...	155	0 0			
90	...	Do.	...	155	0 0			
91	...	Do.	...	155	0 0			
92	...	Do.	...	155	0 0			
93	...	Do.	...	155	0 0			
		Carried forward	...	19865	0 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...		271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	19865	0 0			
		SALARIES, FIXED—continued.						
94	...	Clerk	...	150	0 0			
95	...	Do.	...	150	0 0			
96	...	Do.	...	150	0 0			
97	...	Do.	...	150	0 0			
98	...	Do.	...	150	0 0			
99	...	Do.	...	145	0 0			
100	...	Do.	...	145	0 0			
101	...	Do.	...	145	0 0			
102	...	Do.	...	145	0 0			
103	...	Do.	...	145	0 0			
104	...	Do.	...	145	0 0			
105	...	Do.	...	145	0 0			
106	...	Do.	...	145	0 0			
107	...	Do.	...	140	0 0			
108	...	Do.	...	140	0 0			
109	...	Do.	...	140	0 0			
110	...	Do.	...	140	0 0			
111	...	Do.	...	140	0 0			
112	...	Do.	...	140	0 0			
113	...	Do.	...	140	0 0			
114	...	Do.	...	140	0 0			
115	...	Do.	...	140	0 0			
116	...	Do.	...	140	0 0			
117	...	Do.	...	140	0 0			
118	...	Do.	...	140	0 0			
119	...	Do.	...	135	0 0			
120	...	Do.	...	135	0 0			
121	...	Do.	...	130	0 0			
122	...	Do.	...	130	0 0			
123	...	Do.	...	130	0 0			
124	...	Do.	...	130	0 0			
125	...	Do.	...	130	0 0			
126	...	Do.	...	130	0 0			
127	...	Do.	...	130	0 0			
128	...	Do.	...	130	0 0			
129	...	Do.	...	130	0 0			
130	...	Do.	...	130	0 0			
131	...	Do.	...	125	0 0			
132	...	Do.	...	120	0 0			
133	...	Do.	...	100	0 0			
134	...	Do.	...	100	0 0			
135	...	Do.	...	100	0 0			
136	...	Do.	...	100	0 0			
137	...	Do.	...	100	0 0			
138	...	Do.	...	100	0 0			
139	...	Do.	...	70	0 0			
		Carried forward	...	25940	0 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	25940	0 0			
		SALARIES, FIXED—continued.						
140	...	Cadet	...	90	0 0			
141	...	Do.	...	60	0 0			
142	...	Overseer Letter Carriers...	...	230	0 0			
143	...	Postal Assistant	...	190	0 0			
144	...	Do.	...	185	0 0			
145	...	Do.	...	165	0 0			
146	...	Do.	...	165	0 0			
147	...	Do.	...	165	0 0			
148	...	Do.	...	165	0 0			
149	...	Do.	...	160	0 0			
150	...	Do.	...	130	0 0			
151	...	Do.	...	130	0 0			
152	...	Do.	...	120	0 0			
153	...	Sorter	...	165	0 0			
154	...	Do.	...	160	0 0			
155	...	Do.	...	160	0 0			
156	...	Do.	...	160	0 0			
157	...	Do.	...	160	0 0			
158	...	Do.	...	160	0 0			
159	...	Do.	...	160	0 0			
160	...	Do.	...	150	0 0			
161	...	Do.	...	150	0 0			
162	...	Do.	...	150	0 0			
163	...	Do.	...	150	0 0			
164	...	Do.	...	150	0 0			
165	...	Do.	...	150	0 0			
166	...	Do.	...	150	0 0			
167	...	Do.	...	150	0 0			
168	...	Do.	...	150	0 0			
169	...	Do.	...	145	0 0			
170	...	Do.	...	145	0 0			
171	...	Do.	...	140	0 0			
172	...	Do.	...	140	0 0			
173	...	Do.	...	140	0 0			
174	...	Do.	...	140	0 0			
175	...	Do.	...	140	0 0			
176	...	Do.	...	135	0 0			
177	...	Do.	...	130	0 0			
178	...	Do.	...	130	0 0			
179	...	Do.	...	130	0 0			
180	...	Do.	...	130	0 0			
181	...	Do.	...	130	0 0			
182	...	Do.	...	130	0 0			
183	...	Do.	...	120	0 0			
184	...	Do.	...	120	0 0			
185	...	Letter Carrier	...	140	0 0			
		Carried forward	...	32655	0 0	271113	2	6

Perth (continued)

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	32655	0	0			
		SALARIES, FIXED—continued.						
186	...	Letter Carrier ...	140	0	0			
187	...	Do. ...	140	0	0			
188	...	Do. ...	140	0	0			
189	...	Do. ...	140	0	0			
190	...	Do. ...	140	0	0			
191	...	Do. ...	140	0	0			
192	...	Do. ...	140	0	0			
193	...	Do. ...	140	0	0			
194	...	Do. ...	140	0	0			
195	...	Do. ...	140	0	0			
196	...	Do. ...	140	0	0			
197	...	Do. ...	140	0	0			
198	...	Do. ...	140	0	0			
199	...	Do. ...	140	0	0			
200	...	Do. ...	140	0	0			
201	...	Do. ...	140	0	0			
202	...	Do. ...	140	0	0			
203	...	Do. ...	140	0	0			
204	...	Do. ...	140	0	0			
205	...	Do. ...	140	0	0			
206	...	Do. ...	140	0	0			
207	...	Do. ...	140	0	0			
208	...	Do. ...	140	0	0			
209	...	Do. ...	140	0	0			
210	...	Do. ...	135	0	0			
211	...	Do. ...	130	0	0			
212	...	Do. ...	130	0	0			
213	...	Do. ...	110	0	0			
214	...	Do. ...	110	0	0			
215	...	Do. ...	110	0	0			
216	...	Do. ...	100	0	0			
217	...	Do. ...	100	0	0			
218	...	Do. ...	100	0	0			
219	...	Do. ...	100	0	0			
220	...	Do. ...	100	0	0			
221	...	Do. ...	100	0	0			
222	...	Do. ...	90	0	0			
223	...	Do. ...	85	0	0			
224	...	Stamper ...	145	0	0			
225	...	Do. ...	140	0	0			
226	...	Do. ...	130	0	0			
227	...	Do. ...	120	0	0			
228	...	Stamp Seller ...	90	0	0			
229	...	Do. ...	80	0	0			
230	...	Do. ...	80	0	0			
231	...	Do. ...	70	0	0			
		Carried forward ...	38870	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	38370	0	0			
		SALARIES, FIXED—continued.						
232	...	Messenger and Office Keeper ...	170	0	0			
233	...	Do. Cleaner ...	140	0	0			
234	...	Do. do. ...	130	0	0			
235	...	Do. do. ...	120	0	0			
236	...	Messenger ...	60	0	0			
237	...	Bag Maker ...	145	0	0			
238	...	Do. ...	110	0	0			
239	...	Packer ...	140	0	0			
240	...	Officer in Charge of Maintenance and Construction ...	340	0	0			
241	...	Assistant Telegraph Manager ...	300	0	0			
242	...	Do. ...	280	0	0			
243	...	Inspector Telegraph Lines ...	300	0	0			
244	...	Do. ...	230	0	0			
245	...	Do. ...	205	0	0			
246	...	Chief Telegraph Operator ...	270	0	0			
247	...	Telegraph Operator ...	210	0	0			
248	...	Do. ...	210	0	0			
249	...	Do. ...	210	0	0			
250	...	Do. ...	210	0	0			
251	...	Do. ...	200	0	0			
252	...	Do. ...	200	0	0			
253	...	Do. ...	200	0	0			
254	...	Do. ...	200	0	0			
255	...	Do. ...	200	0	0			
256	...	Do. ...	200	0	0			
257	...	Do. ...	200	0	0			
258	...	Do. ...	190	0	0			
259	...	Do. ...	180	0	0			
260	...	Do. ...	180	0	0			
261	...	Do. ...	180	0	0			
262	...	Do. ...	180	0	0			
263	...	Do. ...	180	0	0			
264	...	Do. ...	180	0	0			
265	...	Do. ...	180	0	0			
266	...	Do. ...	180	0	0			
267	...	Do. ...	180	0	0			
268	...	Do. ...	180	0	0			
269	...	Do. ...	180	0	0			
270	...	Do. ...	180	0	0			
271	...	Do. ...	180	0	0			
272	...	Do. ...	180	0	0			
273	...	Do. ...	180	0	0			
274	...	Do. ...	175	0	0			
275	...	Do. ...	170	0	0			
276	...	Do. ...	170	0	0			
		Carried forward ...	46955	0	0	271113	2	6

Perth (continued)

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Person.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	46955	0	0			
		SALARIES, FIXED—continued.						
277	...	Telegraph Operator ...	170	0	0			
278	...	Do. ...	170	0	0			
279	...	Do. ...	170	0	0			
280	...	Do. ...	170	0	0			
281	...	Do. ...	170	0	0			
282	...	Do. ...	170	0	0			
283	...	Do. ...	170	0	0			
284	...	Do. ...	170	0	0			
285	...	Do. ...	170	0	0			
286	...	Do. ...	170	0	0			
287	...	Do. ...	160	0	0			
288	...	Do. ...	160	0	0			
289	...	Do. ...	160	0	0			
290	...	Do. ...	160	0	0			
291	...	Do. ...	155	0	0			
292	...	Do. ...	155	0	0			
293	...	Do. ...	150	0	0			
294	...	Do. ...	150	0	0			
295	...	Do. ...	150	0	0			
296	...	Do. ...	140	0	0			
297	...	Do. ...	140	0	0			
298	...	Do. ...	130	0	0			
299	...	Do. ...	120	0	0			
300	...	Do. ...	120	0	0			
301	...	Do. ...	110	0	0			
302	...	Do. ...	100	0	0			
303	...	Do. ...	95	0	0			
304	...	Telegraph Messenger ...	85	0	0			
305	...	Do. ...	85	0	0			
306	...	Do. ...	85	0	0			
307	...	Do. ...	85	0	0			
308	...	Do. ...	85	0	0			
309	...	Do. ...	80	0	0			
310	...	Do. ...	60	0	0			
311	...	Do. ...	60	0	0			
312	...	Do. ...	60	0	0			
313	...	Do. ...	60	0	0			
314	...	Do. ...	60	0	0			
315	...	Do. ...	55	0	0			
316	...	Do. ...	50	0	0			
317	...	Do. ...	50	0	0			
318	...	Do. ...	50	0	0			
319	...	Do. ...	50	0	0			
320	...	Do. ...	50	0	0			
321	...	Do. ...	50	0	0			
322	...	Do. ...	50	0	0			
		Carried forward ...	52220	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Person.		£	s.	d.	£	s.	d.
		Brought forward	...	...		271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	52220	0 0			
		SALARIES, FIXED—continued.						
323	...	Telegraph Messenger	...	50	0 0			
324	...	Do.	...	50	0 0			
325	...	Do.	...	50	0 0			
326	...	Do.	...	50	0 0			
327	...	Do.	...	50	0 0			
328	...	Do.	...	50	0 0			
329	...	Do.	...	45	0 0			
330	...	Do.	...	45	0 0			
331	...	Do.	...	45	0 0			
332	...	Do.	...	45	0 0			
333	...	Do.	...	45	0 0			
334	...	Do.	...	45	0 0			
335	...	Do.	...	45	0 0			
336	...	Do.	...	45	0 0			
337	...	Do.	...	45	0 0			
338	...	Do.	...	45	0 0			
339	...	Do.	...	45	0 0			
340	...	Do.	...	40	0 0			
341	...	Do.	...	40	0 0			
342	...	Telegraph Cadet	...	80	0 0			
343	...	Do.	...	60	0 0			
344	...	Do.	...	60	0 0			
345	...	Do.	...	60	0 0			
346	...	Do.	...	60	0 0			
347	...	Do.	...	60	0 0			
348	...	Do.	...	60	0 0			
349	...	Do.	...	60	0 0			
350	...	Do.	...	60	0 0			
351	...	Do.	...	60	0 0			
352	...	Do.	...	60	0 0			
353	...	Do.	...	60	0 0			
354	...	Do.	...	60	0 0			
355	...	Do.	...	60	0 0			
356	...	Do. Lineman	...	180	0 0			
357	...	Do. do. Assistant	...	130	0 0			
358	...	Mechanician	...	270	0 0			
359	...	Instrument Fitter	...	170	0 0			
360	...	Battery Keeper	...	190	0 0			
361	...	Assistant Battery Keeper	...	160	0 0			
362	...	Storekeeper	...	220	0 0			
363	...	Do. Assistant	...	150	0 0			
364	...	Telephone Inspector	...	280	0 0			
365	...	Do. Fitter	...	220	0 0			
366	...	Do. do.	...	210	0 0			
367	...	Do. do.	...	190	0 0			
368	...	Do. do.	...	180	0 0			
		Carried forward	...	56505	0 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	56505	0 0			
		SALARIES, FIXED—continued.						
369	...	Telephone Foreman	...	210	0 0			
370	...	Do. Lineman	...	190	0 0			
371	...	Do. do.	...	170	0 0			
372	...	Attendant in Charge	...	150	0 0			
373	...	Telephone Attendant (night)	...	140	0 0			
374	...	Do. do. do.	...	120	0 0			
375	...	Do. do.	...	100	0 0			
376	...	Do. do.	...	90	0 0			
377	...	Do. do.	...	85	0 0			
378	...	Do. do.	...	75	0 0			
379	...	Do. do.	...	75	0 0			
380	...	Do. do.	...	75	0 0			
381	...	Do. do.	...	75	0 0			
382	...	Do. do.	...	75	0 0			
383	...	Do. do.	...	70	0 0			
384	...	Do. do.	...	65	0 0			
385	...	Do. do.	...	65	0 0			
386	...	Do. do.	...	65	0 0			
387	...	Do. do.	...	65	0 0			
388	...	Do. do.	...	65	0 0			
389	...	Do. do.	...	65	0 0			
390	...	Do. do.	...	65	0 0			
391	...	Do. do.	...	65	0 0			
392	...	Do. do.	...	65	0 0			
393	...	Do. do.	...	65	0 0			
394	...	Do. do.	...	65	0 0			
395	...	Do. do.	...	65	0 0			
396	...	Do. do.	...	60	0 0			
397	...	Do. do.	...	60	0 0			
398	...	Do. do.	...	60	0 0			
399	...	Do. do.	...	60	0 0			
400	...	Do. do.	...	60	0 0			
401	...	Do. do.	...	60	0 0			
402	...	Do. do.	...	60	0 0			
403	...	Do. do.	...	60	0 0			
404	...	Do. do.	...	60	0 0			
405	...	Do. do.	...	60	0 0			
406	...	Do. do.	...	60	0 0			
407	...	Do. do.	...	60	0 0			
408	...	Do. do.	...	55	0 0			
409	...	Do. do.	...	55	0 0			
410	...	Do. do.	...	55	0 0			
411	...	Do. do.	...	55	0 0			
412	...	Do. do.	...	45	0 0			
413	...	Do. do.	...	45	0 0			
414	...	Do. do.	...	45	0 0			
		Carried forward	...	60060	0 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	60060	0	0			
		SALARIES, FIXED—continued.						
415	...	Telephone Attendant ...	45	0	0			
416	...	Do. do. ...	45	0	0			
417	...	Do. do. ...	45	0	0			
418	...	Do. do. ...	40	0	0			
419	...	Do. do. ...	40	0	0			
420	...	Do. do. ...	40	0	0			
421	...	Perth (continued) Relieving Officer ...	180	0	0			
422	...	Do. do. ...	180	0	0			
423	...	Do. do. ...	180	0	0			
424	...	Do. do. ...	180	0	0			
425	...	Do. do. ...	180	0	0			
426	...	Do. do. ...	180	0	0			
427	...	Post and Telegraph Master ...	140	0	0			
428	...	Perth (Aberdeen Street) Assistant ...	60	0	0			
429	...	Messenger ...	45	0	0			
430	...	Do. ...	45	0	0			
431	...	Do. ...	40	0	0			
432	...	Post and Telegraph Master ...	120	0	0			
433	...	Perth (Brisbane Street) Assistant ...	90	0	0			
434	...	Messenger ...	50	0	0			
435	...	Do. ...	50	0	0			
436	...	Post and Telegraph Master ...	100	0	0			
437	...	Perth (Hay Street East) Messenger ...	55	0	0			
438	...	Do. ...	50	0	0			
439	...	Perth (Hay Street West) Post and Telegraph Master ...	90	0	0			
440	...	Post and Telegraph Master ...	110	0	0			
441	...	Perth Railway Assistant ...	60	0	0			
442	...	Station Mail Officer ...	140	0	0			
443	...	Messenger ...	55	0	0			
444	...	Perth (Palace Hotel) Post and Telegraph Master ...	90	0	0			
445	...	Perth (South) Post and Telegraph Master ...	80	0	0			
446	...	Messenger and Letter Carrier ...	60	0	0			
447	...	Abbott's Post and Telegraph Master ...	150	0	0			
448	...	Do. do. ...	320	0	0			
449	...	Clerk ...	*90	0	0			
450	...	Do. ...	170	0	0			
451	...	Do. ...	160	0	0			
452	...	Do. ...	160	0	0			
453	...	Albany... Do. ...	150	0	0			
454	...	Do. ...	150	0	0			
455	...	Do. ...	145	0	0			
456	...	Do. ...	135	0	0			
457	...	Do. ...	90	0	0			
458	...	Telegraph Operator ...	210	0	0			
		Carried forward ...	64855	0	0	271113	2	6

* For six months.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	64855	0	0			
		SALARIES, FIXED—continued.						
459	...	Telegraph Operator ...	190	0	0			
460	...	Do. ...	180	0	0			
461	...	Do. ...	145	0	0			
462	...	Stamp Seller ...	70	0	0			
463	...	Messenger ...	80	0	0			
464	...	Do. ...	70	0	0			
465	...	Do. ...	60	0	0			
466	...	Letter Carrier ...	100	0	0			
467	...	Do. ...	90	0	0			
468	...	Do. ...	60	0	0			
469	...	Telegraph Lineman ...	200	0	0			
470	...	Assistant do. ...	130	0	0			
471	...	Telephone Attendant (Night) ...	110	0	0			
472	...	Telephone Attendant ...	60	0	0			
473	...	Do. ...	60	0	0			
474	...	Do. ...	60	0	0			
475	...	Instrument Fitter ...	190	0	0			
476	...	Post and Telegraph Master ...	70	0	0			
477	...	Do. do. ...	90	0	0			
478	...	Do. do. ...	150	0	0			
479	...	Postmaster ...	50	0	0			
480	...	Post and Telegraph Master ...	70	0	0			
481	...	Do. do. ...	150	0	0			
482	...	Telegraph Master ...	210	0	0			
483	...	Operator ...	170	0	0			
484	...	Do. ...	100	0	0			
485	...	Lineman ...	140	0	0			
486	...	Post and Telegraph Master ...	60	0	0			
487	...	Do. do. ...	140	0	0			
488	...	Do. do. ...	100	0	0			
489	...	Do. do. ...	150	0	0			
490	...	Do. do. ...	90	0	0			
491	...	Do. do. ...	190	0	0			
492	...	Assistant ...	130	0	0			
493	...	Messenger ...	70	0	0			
494	...	Do. ...	65	0	0			
495	...	Do. ...	50	0	0			
496	...	Post and Telegraph Master ...	150	0	0			
497	...	Assistant ...	100	0	0			
498	...	Messenger ...	60	0	0			
499	...	Post and Telegraph Master ...	160	0	0			
500	...	Operating Messenger ...	90	0	0			
501	...	Post and Telegraph Master ...	180	0	0			
502	...	Assistant ...	*14	0	0			
503	...	Messenger ...	60	0	0			
		Carried forward ...	69769	0	0	271113	2	6

* For one month.

Appropriation—1900—1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	69769	0	0			
		SALARIES, FIXED—continued.						
504	...	<i>Boorabbin</i> ... { Post and Telegraph Master ...	160	0	0			
505 { Lineman ...	155	0	0			
506	...	Post and Telegraph Master ...	235	0	0			
507	...	Operator ...	175	0	0			
508	...	Do. ...	160	0	0			
509	...	Do. ...	160	0	0			
510	...	Do. ...	150	0	0			
511	...	Clerk ...	170	0	0			
512	...	Do. ...	170	0	0			
513	...	Do. ...	160	0	0			
514	...	Do. ...	160	0	0			
515	...	Do. ...	160	0	0			
516	...	Do. ...	160	0	0			
517	...	Do. ...	150	0	0			
518	...	Do. ...	150	0	0			
519	...	Do. ...	150	0	0			
520	...	Do. ...	150	0	0			
521	...	Do. ...	150	0	0			
522	...	Do. ...	140	0	0			
523	...	Do. ...	140	0	0			
524	...	Do. ...	140	0	0			
525	...	Do. ...	130	0	0			
526	...	Do. ...	130	0	0			
527	...	<i>Boulder</i> ... { Do. ...	100	0	0			
528	...	Do. ...	100	0	0			
529	...	Letter Carrier ...	120	0	0			
530	...	Do. ...	120	0	0			
531	...	Do. ...	120	0	0			
532	...	Do. ...	115	0	0			
533	...	Do. ...	100	0	0			
534	...	Do. ...	100	0	0			
535	...	Do. ...	100	0	0			
536	...	Messenger ...	60	0	0			
537	...	Do. ...	60	0	0			
538	...	Do. ...	60	0	0			
539	...	Do. ...	50	0	0			
540	...	Do. ...	50	0	0			
541	...	Telephone Attendant (night) ...	140	0	0			
542	...	Telephone Attendant ...	110	0	0			
543	...	Do. do. ...	90	0	0			
544	...	Do. do. ...	70	0	0			
545	...	Do. do. ...	70	0	0			
546	...	Do. do. ...	70	0	0			
547	...	Do. do. ...	60	0	0			
548	...	Do. do. ...	60	0	0			
549	...	Do. do. ...	60	0	0			
		Carried forward ...	75359	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	75359	0	0			
		SALARIES, FIXED—continued.						
550	...	Boulder (contd.)... { Telephone Fitter ...	165	0	0			
551	...	Do. Lineman ...	140	0	0			
552	...	Boyadine ... Postmaster ...	20	0	0			
553	...	Boyanup ... Post and Telegraph Master ...	80	0	0			
554	...	Telegraph Master ...	220	0	0			
555	...	Bremer ... Assistant ...	175	0	0			
556	...	Lineman ...	150	0	0			
557	...	Bridgetown ... Post and Telegraph Master ...	145	0	0			
558	...	Messenger ...	50	0	0			
559	...	Post and Telegraph Master ...	190	0	0			
560	...	Broad Arrow ... Operator ...	160	0	0			
561	...	Do. ...	130	0	0			
562	...	Messenger ...	60	0	0			
563	...	Post and Telegraph Master ...	220	0	0			
564	...	Operator ...	190	0	0			
565	...	Do. ...	170	0	0			
566	...	Broome ... Do. ...	140	0	0			
567	...	Do. ...	140	0	0			
568	...	Clerk ...	170	0	0			
569	...	Lineman ...	150	0	0			
570	...	Broome Hill ... Post and Telegraph Master ...	160	0	0			
571	...	Do. do. ...	140	0	0			
572	...	Brunswick ... Assistant ...	65	0	0			
573	...	Bullabulling ... Post and Telegraph Master ...	165	0	0			
574	...	Do. do. ...	190	0	0			
575	...	Bulong ... Operator ...	160	0	0			
576	...	Clerk ...	170	0	0			
577	...	Messenger ...	60	0	0			
578	...	Post and Telegraph Master ...	260	0	0			
579	...	Operator ...	160	0	0			
580	...	Clerk ...	150	0	0			
581	...	Do. ...	150	0	0			
582	...	Bunbury ... Do. ...	110	0	0			
583	...	Messenger ...	70	0	0			
584	...	Do. ...	55	0	0			
585	...	Do. ...	55	0	0			
586	...	Lineman ...	150	0	0			
587	...	Burbanks ... Post and Telegraph Master ...	140	0	0			
588	...	Do. do. ...	175	0	0			
589	...	Bussellton (Vasse) ... Assistant ...	80	0	0			
590	...	Messenger and Letter Carrier ...	50	0	0			
591	...	Lineman ...	135	0	0			
592	...	Canning ... Postmaster ...	45	0	0			
593	...	Canning Mills ... Do. ...	70	0	0			
594	...	Capel ... Post and Telegraph Master ...	90	0	0			
595	...	Carnamah ... Do. do. ...	60	0	0			
		Carried forward ...	81339	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Person.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	81339	0	0			
		SALARIES, FIXED—continued.						
596	...	Post and Telegraph Master ...	200	0	0			
597	...	Operator and Lineman ...	150	0	0			
598	Carnarvon	Operator ...	90	0	0			
599	...	Messenger ...	50	0	0			
600	...	Post and Telegraph Master ...	80	0	0			
601	Chidlow's Well	Messenger ...	45	0	0			
602	...	Post and Telegraph Master ...	150	0	0			
603	...	Assistant ...	100	0	0			
604	Claremont	Messenger ...	75	0	0			
605	...	Do. ...	60	0	0			
606	...	Post and Telegraph Master ...	160	0	0			
607	Condon	Operator ...	140	0	0			
608	...	Lineman ...	150	0	0			
609	Cookernup	Post and Telegraph Master ...	80	0	0			
610	...	Do. do. ...	90	0	0			
611	Collie	Assistant ...	60	0	0			
612	...	Messenger ...	50	0	0			
613	...	Post and Telegraph Master ...	345	0	0			
614	...	Chief Operator ...	260	0	0			
615	...	Operator ...	180	0	0			
616	...	Do. ...	180	0	0			
617	...	Do. ...	170	0	0			
618	...	Do. ...	170	0	0			
619	...	Do. ...	170	0	0			
620	...	Do. ...	170	0	0			
621	...	Do. ...	170	0	0			
622	...	Do. ...	170	0	0			
623	...	Do. ...	170	0	0			
624	...	Do. ...	170	0	0			
625	...	Do. ...	165	0	0			
626	...	Do. ...	165	0	0			
627	Coolgardie	Do. ...	165	0	0			
628	...	Do. ...	160	0	0			
629	...	Do. ...	160	0	0			
630	...	Do. ...	160	0	0			
631	...	Do. ...	160	0	0			
632	...	Do. ...	160	0	0			
633	...	Do. ...	150	0	0			
634	...	Do. ...	150	0	0			
635	...	Do. ...	150	0	0			
636	...	Do. ...	150	0	0			
637	...	Do. ...	150	0	0			
638	...	Do. ...	145	0	0			
639	...	Do. ...	130	0	0			
640	...	Do. ...	130	0	0			
641	...	Do. ...	130	0	0			
		Carried forward ...	87974	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	87974	0	0			
		SALARIES, FIXED—continued.						
642	..	Operator	125	0	0			
643	...	Do.	120	0	0			
644	...	Clerk	180	0	0			
645	...	Do.	180	0	0			
646	...	Do.	180	0	0			
647	...	Do.	170	0	0			
648	...	Do.	170	0	0			
649	...	Do.	165	0	0			
650	...	Do.	165	0	0			
651	...	Do.	160	0	0			
652	...	Do.	160	0	0			
653	...	Do.	160	0	0			
654	...	Do.	155	0	0			
655	...	Do.	155	0	0			
656	...	Do.	150	0	0			
657	...	Do.	150	0	0			
658	...	Do.	150	0	0			
659	...	Do.	145	0	0			
660	...	Do.	145	0	0			
661	...	Do.	145	0	0			
662	...	Do.	145	0	0			
663	...	Do.	140	0	0			
664	...	Do.	*12	10	0			
665	...	Coolgardie (contd.) { Telegraph Cadet	110	0	0			
666	...	Stamp Seller	80	0	0			
667	...	Letter Carrier	140	0	0			
668	...	Do.	140	0	0			
669	...	Do.	140	0	0			
670	...	Do.	140	0	0			
671	...	Do.	100	0	0			
672	...	Messenger	85	0	0			
673	...	Do.	85	0	0			
674	...	Do.	85	0	0			
675	...	Do.	85	0	0			
676	...	Do.	80	0	0			
677	...	Do.	75	0	0			
678	...	Do.	70	0	0			
679	...	Do.	65	0	0			
680	...	Do.	60	0	0			
681	...	Do.	55	0	0			
682	...	Do.	55	0	0			
683	...	Do.	55	0	0			
684	...	Do.	55	0	0			
685	...	Telegraph Lineman	160	0	0			
686	...	Battery Keeper	150	0	0			
687	...	Caretaker	150	0	0			
		Carried forward	93621	10	0	271113	2	6

* For one month.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	93621	10	0			
		SALARIES, FIXED—continued.						
688	...	Instrument Fitter	180	0	0			
689	...	Telephone Attendant (Night)	160	0	0			
690	...	Telephone Attendant	100	0	0			
691	...	Do.	90	0	0			
692	...	Do.	90	0	0			
693	...	Do.	90	0	0			
694	...	Do.	90	0	0			
695	...	Do.	70	0	0			
696	...	Do.	60	0	0			
697	...	Do.	60	0	0			
698	...	Post and Telegraph Master	200	0	0			
699	...	Cossack Clerk	120	0	0			
700	...	Messenger	70	0	0			
701	...	Cranbrook Postmaster	40	0	0			
702	...	Post and Telegraph Master	180	0	0			
703	...	Assistant	70	0	0			
704	...	Letter Carrier	65	0	0			
705	...	Messenger	60	0	0			
706	...	Do.	45	0	0			
707	...	Telephone Attendant (Night)	70	0	0			
708	...	Cottesloe Telephone Attendant	55	0	0			
709	...	Do.	55	0	0			
710	...	Do.	45	0	0			
711	...	Do.	45	0	0			
712	...	Do.	40	0	0			
713	...	Telephone Fitter	160	0	0			
714	...	Telephone Lineman	140	0	0			
715	...	Cuddingwarra Post and Telegraph Master	140	0	0			
716	...	Do. do.	275	0	0			
717	...	Operator	180	0	0			
718	...	Do.	170	0	0			
719	...	Do.	170	0	0			
720	...	Do.	150	0	0			
721	...	Do.	140	0	0			
722	...	Do.	120	0	0			
723	...	Do.	110	0	0			
724	...	Cue Clerk	130	0	0			
725	...	Do.	110	0	0			
726	...	Do.	110	0	0			
727	...	Messenger and Letter Carrier	65	0	0			
728	...	Do.	60	0	0			
729	...	Do.	50	0	0			
730	...	Lineman	140	0	0			
731	...	Cuballing Postmaster	30	0	0			
732	...	Dandarragan Post and Telegraph Master	80	0	0			
733	...	Daylerking Postmaster	30	0	0			
		Carried forward	98331	10	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	98331	10	0			
		SALARIES, FIXED—continued.						
734	...	{ Post and Telegraph Master	175	0	0			
735	...	Day Dawn { Assistant	125	0	0			
736	...	{ Messenger	80	0	0			
737	...	Dardanup { Post and Telegraph Master	80	0	0			
738	...	{ Post and Telegraph Master	160	0	0			
739	...	Denmark { Assistant	135	0	0			
740	...	{ Post and Telegraph Master	200	0	0			
741	...	Derby { Operator	140	0	0			
742	...	{ Lineman	160	0	0			
743	...	Diorite King { Post and Telegraph Master	170	0	0			
744	...	Dongara { Do. do.	150	0	0			
745	...	{ Messenger	60	0	0			
746	...	{ Post and Telegraph Master	90	0	0			
747	...	Donnybrook { Assistant	60	0	0			
748	...	{ Messenger	45	0	0			
749	...	{ Telegraph Master	250	0	0			
750	...	Esperance { Operator	180	0	0			
751	...	{ Messenger	40	0	0			
752	...	{ Lineman	150	0	0			
753	...	{ Telegraph Master	340	0	0			
754	...	{ Operator	200	0	0			
755	...	{ Do.	180	0	0			
756	...	{ Do.	180	0	0			
757	...	{ Do.	180	0	0			
758	...	{ Do.	170	0	0			
759	...	Eucla { Do.	170	0	0			
760	...	{ Do.	170	0	0			
761	...	{ Do.	170	0	0			
762	...	{ Do.	160	0	0			
763	...	{ Clerk	170	0	0			
764	...	{ Do.	130	0	0			
765	...	{ Lineman	150	0	0			
766	...	{ Telegraph Master	265	0	0			
767	...	Eyre { Assistant and Lineman	140	0	0			
768	...	{ Lineman	150	0	0			
769	...	{ Telegraph Master	170	0	0			
770	...	Fitzroy { Operator	135	0	0			
771	...	{ Lineman	150	0	0			
772	...	{ Telegraph Master	160	0	0			
773	...	Fortescue { Operator	130	0	0			
774	...	{ Lineman	120	0	0			
775	...	{ Post and Telegraph Master	400	0	0			
776	...	{ Clerk	230	0	0			
777	...	Fremantle { Do.	180	0	0			
778	...	{ Do.	175	0	0			
779	...	{ Do.	175	0	0			
		Carried forward	105731	10	0	271113	6	2

Appropriation—1900-1.

COLONIAL SECRETARY—(continued)

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	105731	10 0			
		SALARIES, FIXED—continued.						
780	...	Clerk	...	165	0 0			
781	...	Do.	...	165	0 0			
782	...	Do.	...	155	0 0			
783	...	Do.	...	155	0 0			
784	...	Do.	...	155	0 0			
785	...	Do.	...	150	0 0			
786	...	Do.	...	140	0 0			
787	...	Do.	...	140	0 0			
788	...	Do.	...	140	0 0			
789	...	Do.	...	140	0 0			
790	...	Do.	...	130	0 0			
791	...	Do.	...	130	0 0			
792	...	Do.	...	130	0 0			
793	...	Letter Carrier	...	110	0 0			
794	...	Do.	...	110	0 0			
795	...	Do.	...	110	0 0			
796	...	Do.	...	110	0 0			
797	...	Do.	...	110	0 0			
798	...	Do.	...	110	0 0			
799	...	Do.	...	100	0 0			
800	...	Do.	...	100	0 0			
801	...	Chief Operator	...	230	0 0			
802	...	Operator	...	180	0 0			
803	...	Do.	...	180	0 0			
804	...	Do.	...	170	0 0			
805	...	Do.	...	160	0 0			
806	...	Do.	...	150	0 0			
807	...	Do.	...	150	0 0			
808	...	Clerk	...	150	0 0			
809	...	Do.	...	150	0 0			
810	...	Do.	...	150	0 0			
811	...	Do.	...	150	0 0			
812	...	Do.	...	150	0 0			
813	...	Do.	...	140	0 0			
814	...	Cadet	...	80	0 0			
815	...	Messenger	...	85	0 0			
816	...	Do.	...	75	0 0			
817	...	Do.	...	60	0 0			
818	...	Do.	...	55	0 0			
819	...	Do.	...	45	0 0			
820	...	Do.	...	40	0 0			
821	...	Do.	...	40	0 0			
822	...	Do.	...	40	0 0			
823	...	Do.	...	40	0 0			
824	...	Do.	...	40	0 0			
825	...	Do.	...	40	0 0			
		Carried forward	...	111236	10 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	111236	10	0			
		SALARIES, FIXED—continued.						
826	...	Messenger ...	30	0	0			
827	...	Telephone Attendant ...	115	0	0			
828	...	Do. do. (Night) ...	115	0	0			
829	...	Relieving Telephone Attendant ...	80	0	0			
830	...	Telephone Attendant ...	95	0	0			
831	...	Do. ...	85	0	0			
832	...	Do. ...	75	0	0			
833	...	Do. ...	75	0	0			
834	...	Do. ...	75	0	0			
835	...	Do. ...	75	0	0			
836	...	Do. ...	65	0	0			
837	...	Do. ...	60	0	0			
838	...	Do. ...	60	0	0			
839	...	Do. ...	60	0	0			
840	...	Do. ...	60	0	0			
841	...	Do. ...	60	0	0			
842	...	Do. ...	60	0	0			
843	...	Do. ...	60	0	0			
844	...	Do. ...	60	0	0			
845	...	Do. ...	60	0	0			
846	...	Do. ...	60	0	0			
847	...	Do. ...	60	0	0			
848	...	Do. ...	60	0	0			
849	...	Do. ...	45	0	0			
850	...	Do. ...	45	0	0			
851	...	Do. ...	40	0	0			
852	...	Do. ...	40	0	0			
853	...	Assistant Telephone Inspector ...	200	0	0			
854	...	Telephone Lineman ...	170	0	0			
855	...	Office Cleaner ...	120	0	0			
856	...	Stamp Seller ...	80	0	0			
857	...	Do. ...	65	0	0			
858	...	Officer in Charge ...	180	0	0			
859	...	Operator ...	130	0	0			
860	...	Assistant ...	100	0	0			
861	...	Messenger ...	40	0	0			
862	...	Officer in Charge ...	170	0	0			
863	...	Operator ...	120	0	0			
864	...	Messenger ...	50	0	0			
865	...	Post and Telegraph Master ...	110	0	0			
866	...	Letter Carrier ...	75	0	0			
867	...	Messenger ...	50	0	0			
868	...	Post and Telegraph Master ...	170	0	0			
869	...	Operator ...	135	0	0			
870	...	Do. ...	115	0	0			
871	...	Messenger ...	55	0	0			
		Carried forward ...	115146	10	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	115146	10	0			
		SALARIES, FIXED—continued.						
872	...	Messenger	55	0	0			
873	...	Do.	50	0	0			
874	...	Telephone Attendant	60	0	0			
875	...	Do.	50	0	0			
876	...	Do.	45	0	0			
877	...	Post and Telegraph Master	240	0	0			
878	...	Chief Operator	200	0	0			
879	...	Operator	180	0	0			
880	...	Do.	180	0	0			
881	...	Do.	170	0	0			
882	...	Do.	120	0	0			
883	...	Clerk	170	0	0			
884	...	Do.	170	0	0			
885	...	Do.	150	0	0			
886	...	Messenger and Letter Carrier	90	0	0			
887	...	Do. do.	75	0	0			
888	...	Do. do.	70	0	0			
889	...	Do. do.	60	0	0			
890	...	Do. do.	45	0	0			
891	...	Do. do.	45	0	0			
892	...	Telegraph Lineman	190	0	0			
893	...	Assistant Lineman	150	0	0			
894	...	Telephone Attendant	55	0	0			
895	...	Do. do.	50	0	0			
896	...	Do. do.	45	0	0			
897	...	Instrument Fitter	200	0	0			
898	...	Postmaster	36	0	0			
899	...	Post and Telegraph Master	120	0	0			
900	...	Messenger	45	0	0			
901	...	Post and Telegraph Master	140	0	0			
902	...	Post and Telegraph Master	80	0	0			
903	...	Do.	160	0	0			
904	...	Operator	130	0	0			
905	...	Messenger	40	0	0			
906	...	Postmaster	45	0	0			
907	...	Post and Telegraph Master	100	0	0			
908	...	Messenger and Letter Carrier	55	0	0			
909	...	Post and Telegraph Master	210	0	0			
910	...	Operator	130	0	0			
911	...	Assistant	110	0	0			
912	...	Letter Carrier	60	0	0			
913	...	Messenger and Letter Carrier	50	0	0			
914	...	Messenger	45	0	0			
915	...	Telephone Fitter	160	0	0			
916	...	Telephone Attendant	50	0	0			
917	...	Do.	40	0	0			
918	...	Do.	40	0	0			
		Carried forward	119907	10	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	119907	10 0			
		SALARIES, FIXED—continued.						
919	...	<i>Gullewa</i> ... Post and Telegraph Master	...	150	0 0			
920	...	Telegraph Master	...	240	0 0			
921	...	Operator	...	170	0 0			
922	...	Do.	...	155	0 0			
923	...	<i>Hamelin Pool</i> ... Do.	...	145	0 0			
924	...	Do.	...	130	0 0			
925	...	Lineman	...	160	0 0			
926	...	Post and Telegraph Master	...	160	0 0			
927	...	<i>Hall's Creek</i> ... Operator	...	130	0 0			
928	...	<i>Harvey</i> ... Post and Telegraph Master	...	80	0 0			
929	...	Do. do.	...	190	0 0			
930	...	Operator	...	160	0 0			
931	...	<i>Helena Vale</i> ... Do.	...	160	0 0			
932	...	Letter Carrier	...	70	0 0			
933	...	Messenger	...	60	0 0			
934	...	<i>Irwin</i> ... Postmaster	...	40	0 0			
935	...	Telegraph Master	...	235	0 0			
936	...	Operator	...	200	0 0			
937	...	<i>Israelite Bay</i> ... Do.	...	170	0 0			
938	...	Do.	...	155	0 0			
939	...	Lineman	...	170	0 0			
940	...	Post and Telegraph Master	...	165	0 0			
941	...	<i>Jarrahdale</i> ... Assistant	...	110	0 0			
942	...	Messenger	...	60	0 0			
943	...	Post and Telegraph Master	...	310	0 0			
944	...	Chief Operator	...	240	0 0			
945	...	Operator	...	180	0 0			
946	...	Do.	...	165	0 0			
947	...	Do.	...	170	0 0			
948	...	Do.	...	170	0 0			
949	...	Do.	...	155	0 0			
950	...	Do.	...	160	0 0			
951	...	Do.	...	160	0 0			
952	...	Do.	...	160	0 0			
953	...	<i>Kalgoorlie</i> ... Do.	...	160	0 0			
954	...	Do.	...	160	0 0			
955	...	Do.	...	145	0 0			
956	...	Do.	...	150	0 0			
957	...	Do.	...	145	0 0			
958	...	Do.	...	140	0 0			
959	...	Clerk	...	220	0 0			
960	...	Do.	...	200	0 0			
961	...	Do.	...	175	0 0			
962	...	Do.	...	180	0 0			
963	...	Do.	...	165	0 0			
964	...	Do.	...	165	0 0			
		Carried forward	...	127247	10 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...		271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	127247	10 0			
		SALARIES, FIXED—continued.						
965	...	Clerk	...	175	0 0			
966	...	Do.	...	170	0 0			
967	...	Do.	...	170	0 0			
968	...	Do.	...	160	0 0			
969	...	Do.	...	160	0 0			
970	...	Do.	...	160	0 0			
971	...	Do.	...	160	0 0			
972	...	Do.	...	160	0 0			
973	...	Do.	...	150	0 0			
974	...	Do.	...	145	0 0			
975	...	Do.	...	145	0 0			
976	...	Do.	...	145	0 0			
977	...	Do.	...	145	0 0			
978	...	Do.	...	150	0 0			
979	...	Do.	...	150	0 0			
980	...	Do.	...	150	0 0			
981	...	Do.	...	140	0 0			
982	...	Do.	...	140	0 0			
983	...	Do.	...	140	0 0			
984	...	Do.	...	140	0 0			
985	...	Do.	...	140	0 0			
986	...	Do.	...	135	0 0			
987	...	Do.	...	130	0 0			
988	...	Do.	...	130	0 0			
989	...	Do.	...	130	0 0			
990	...	Cadet	...	90	0 0			
991	...	Stamp Seller	...	70	0 0			
992	...	Do.	...	60	0 0			
993	...	Letter Carrier	...	145	0 0			
994	...	Do.	...	140	0 0			
995	...	Do.	...	140	0 0			
996	...	Do.	...	130	0 0			
997	...	Do.	...	130	0 0			
998	...	Do.	...	120	0 0			
999	...	Do.	...	120	0 0			
1000	...	Do.	...	120	0 0			
1001	...	Do.	...	110	0 0			
1002	...	Messenger	...	70	0 0			
1003	...	Do.	...	70	0 0			
1004	...	Do.	...	70	0 0			
1005	...	Do.	...	55	0 0			
1006	...	Do.	...	55	0 0			
1007	...	Do.	...	55	0 0			
1008	...	Do.	...	55	0 0			
1009	...	Do.	...	55	0 0			
1010	...	Do.	...	55	0 0			
		Carried forward	...	132882	10 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	132882	10 0			
		SALARIES, FIXED—continued.						
1011	...	Messenger	...	55	0 0			
1012	...	Do.	...	55	0 0			
1013	...	Do.	...	55	0 0			
1014	...	Do.	...	55	0 0			
1015	...	Do.	...	50	0 0			
1016	...	Do.	...	50	0 0			
1017	...	Do.	...	50	0 0			
1018	...	Telegraph Lineman	...	140	0 0			
1019	...	Telephone Attendant (Night)	...	160	0 0			
1020	...	Telephone Attendant	...	110	0 0			
1021	...	Do.	...	90	0 0			
1022	...	Do.	...	90	0 0			
1023	...	Do.	...	70	0 0			
1024	...	Do.	...	70	0 0			
1025	...	Do.	...	70	0 0			
1026	...	Do.	...	70	0 0			
1027	...	Do.	...	70	0 0			
1028	...	Do.	...	70	0 0			
1029	...	Do.	...	70	0 0			
1030	...	Do.	...	65	0 0			
1031	...	Do.	...	60	0 0			
1032	...	Do.	...	60	0 0			
1033	...	Telephone Fitter	...	200	0 0			
1034	...	Telephone Lineman	...	150	0 0			
1035	...	Post and Telegraph Master	...	220	0 0			
1036	...	Operator	...	165	0 0			
1037	...	Do.	...	165	0 0			
1038	...	Clerk	...	165	0 0			
1039	...	Do.	...	155	0 0			
1040	...	Do.	...	155	0 0			
1041	...	Do.	...	155	0 0			
1042	...	Letter Carrier	...	80	0 0			
1043	...	Messenger	...	55	0 0			
1044	...	Do.	...	55	0 0			
1045	...	Do.	...	55	0 0			
1046	...	Post and Telegraph Master	...	190	0 0			
1047	...	Messenger	...	40	0 0			
1048	...	Post and Telegraph Master	...	200	0 0			
1049	...	Messenger	...	40	0 0			
1050	...	Postmaster	...	25	0 0			
1051	...	Post and Telegraph Master	...	155	0 0			
1052	...	Do. do.	...	130	0 0			
1053	...	Do. do.	...	160	0 0			
1054	...	Operator	...	*12	10 0			
1055	...	Messenger	...	70	0 0			
1056	...	Post and Telegraph Master	...	160	0 0			
		Carried forward	...	137475	0 0	271113	2	6

* For one month.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	137475	0	0			
		SALARIES, FIXED—continued.						
1057	...	Post and Telegraph Master	170	0	0			
1058	...	Operator	140	0	0			
1059	...	Assistant	110	0	0			
1060	...	Messenger	50	0	0			
1061	...	Post and Telegraph Master	230	0	0			
1062	...	Operator	160	0	0			
1063	...	Clerk	155	0	0			
1064	...	Messenger	60	0	0			
1065	...	Post and Telegraph Master	140	0	0			
1066	...	Letter Carrier	60	0	0			
1067	...	Do.	70	0	0			
1068	...	Messenger	50	0	0			
1069	...	Telegraph Master	175	0	0			
1070	...	Operator	120	0	0			
1071	...	Lineman	160	0	0			
1072	...	Post and Telegraph Master	165	0	0			
1073	...	Assistant	95	0	0			
1074	...	Post and Telegraph Master	180	0	0			
1075	...	Assistant	160	0	0			
1076	...	Do.	145	0	0			
1077	...	Do.	135	0	0			
1078	...	Do.	120	0	0			
1079	...	Messenger	60	0	0			
1080	...	Postmaster	30	0	0			
1081	...	Do.	35	0	0			
1082	...	Post and Telegraph Master	120	0	0			
1083	...	Postmaster	30	0	0			
1084	...	Do.	30	0	0			
1085	...	Post and Telegraph Master	80	0	0			
1086	...	Messenger	30	0	0			
1087	...	Post and Telegraph Master	80	0	0			
1088	...	Post and Telegraph Master	165	0	0			
1089	...	Operator	135	0	0			
1090	...	Assistant	*10	0	0			
1091	...	Post and Telegraph Master	270	0	0			
1092	...	Clerk	180	0	0			
1093	...	Do.	175	0	0			
1094	...	Do.	175	0	0			
1095	...	Do.	175	0	0			
1096	...	Do.	175	0	0			
1097	...	Do.	160	0	0			
1098	...	Do.	160	0	0			
1099	...	Do.	160	0	0			
1100	...	Do.	145	0	0			
1101	...	Chief Operator	220	0	0			
1102	...	Operator	180	0	0			
		Carried forward	143305	0	0	271113	2	6

* For one month.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward ...	143305	0	0			
		SALARIES, FIXED—continued.						
1103	...	Operator ...	180	0	0			
1104	...	Do. ...	180	0	0			
1105	...	Messenger ...	84	0	0			
1106	...	<i>Menzies (contd.)</i> ... { Do. ...	84	0	0			
1107	...	Do. ...	60	0	0			
1108	...	Do. ...	60	0	0			
1109	...	Lineman ...	150	0	0			
1110	...	Post and Telegraph Master ...	155	0	0			
1111	...	<i>Mingenew</i> ... { Messenger ...	50	0	0			
1112	...	Telegraph Lineman ...	140	0	0			
1113	...	<i>Moora</i> ... { Post and Telegraph Master ...	80	0	0			
1114	...	<i>Mornington Mills</i> ... { Do. do. ...	80	0	0			
1115	...	<i>Mount Barker</i> ... { Do. do. ...	160	0	0			
1116	...	Do. do. ...	190	0	0			
1117	...	<i>Mount Magnet</i> ... { Operator ...	110	0	0			
1118	...	Assistant ...	110	0	0			
1119	...	Messenger ...	60	0	0			
1120	...	Post and Telegraph Master ...	210	0	0			
1121	...	Assistant ...	170	0	0			
1122	...	Do. ...	170	0	0			
1123	...	<i>Mount Malcolm</i> ... { Do. ...	130	0	0			
1124	...	Do. ...	120	0	0			
1125	...	Messenger and Letter Carrier ...	80	0	0			
1126	...	Messenger ...	70	0	0			
1127	...	Post and Telegraph Master ...	180	0	0			
1128	...	<i>Mount Morgans</i> ... { Assistant ...	120	0	0			
1129	...	Messenger ...	70	0	0			
1130	...	Post and Telegraph Master ...	60	0	0			
1131	...	<i>Mullewa</i> ... { Messenger ...	45	0	0			
1132	...	<i>Mundaring</i> ... { Post and Telegraph Master ...	70	0	0			
1133	...	<i>Mundijong</i> ... { Do. ...	120	0	0			
1134	...	<i>Murgoo</i> ... { Postmaster ...	60	0	0			
1135	...	<i>Murrin Murrin</i> ... { Post and Telegraph Master ...	200	0	0			
1136	...	Operator ...	110	0	0			
1137	...	Post and Telegraph Master ...	170	0	0			
1138	...	<i>Nannine</i> ... { Assistant ...	145	0	0			
1139	...	Do. ...	130	0	0			
1140	...	Messenger ...	60	0	0			
1141	...	<i>Narrogin</i> ... { Post and Telegraph Master ...	150	0	0			
1142	...	<i>Narra Tarra</i> ... { Postmaster ...	30	0	0			
1143	...	Post and Telegraph Master ...	150	0	0			
1144	...	Operator ...	120	0	0			
1145	...	<i>Newcastle</i> ... { Messenger and Letter Carrier ...	60	0	0			
1146	...	Lineman ...	180	0	0			
1147	...	Assistant Lineman ...	130	0	0			
1148	...	<i>New Norcia</i> ... { Post and Telegraph Master ...	140	0	0			
		Carried forward ...	148688	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	...	148688	0 0			
		SALARIES, FIXED—continued.						
1149	...	New Town ... Postmaster	...	20	0 0			
1150	...	Post and Telegraph Master	...	195	0 0			
1151	...	Niagara { Operator	...	135	0 0			
1152	...	Assistant	...	110	0 0			
1153	...	Messenger and Letter Carrier	...	110	0 0			
1154	...	Post and Telegraph Master	...	190	0 0			
1155	...	Clerk	...	150	0 0			
1156	...	Do.	...	130	0 0			
1157	...	Do.	...	120	0 0			
1158	...	Operator	...	140	0 0			
1159	...	Do.	...	130	0 0			
1160	...	Northam { Messenger and Letter Carrier	...	75	0 0			
1161	...	Do. do.	...	65	0 0			
1162	...	Do. do.	...	60	0 0			
1163	...	Telephone Fitter	...	150	0 0			
1164	...	Do. Lineman	...	130	0 0			
1165	...	Telephone Attendant	...	50	0 0			
1166	...	Do.	...	50	0 0			
1167	...	Do.	...	50	0 0			
1168	...	Post and Telegraph Master	...	205	0 0			
1169	...	Clerk	...	145	0 0			
1170	...	Do.	...	140	0 0			
1171	...	Norseman { Operator	...	145	0 0			
1172	...	Messenger and Letter Carrier	...	80	0 0			
1173	...	Do.	...	70	0 0			
1174	...	Lineman	...	140	0 0			
1175	...	Northampton { Post and Telegraph Master	...	150	0 0			
1176	...	Messenger	...	50	0 0			
1177	...	Nullagine { Post and Telegraph Master	...	170	0 0			
1178	...	Assistant	...	125	0 0			
1179	...	Post and Telegraph Master	...	210	0 0			
1180	...	Onslow { Operator	...	130	0 0			
1181	...	Do.	...	120	0 0			
1182	...	Peak Hill { Post and Telegraph Master	...	190	0 0			
1183	...	Assistant	...	110	0 0			
1184	...	Pindinnie { Post and Telegraph Master	...	150	0 0			
1185	...	Do. do.	...	160	0 0			
1186	...	Paddington { Assistant	...	130	0 0			
1187	...	Messenger	...	60	0 0			
1188	...	Pingelly { Post and Telegraph Master	...	150	0 0			
1189	...	Do. do.	...	120	0 0			
1190	...	Pinjarrah { Operating Messenger	...	80	0 0			
1191	...	Post and Telegraph Master	...	170	0 0			
1192	...	Port Hedland { Operator	...	130	0 0			
1193	...	Assistant and Lineman	...	125	0 0			
1194	...	Quindalup { Post and Telegraph Master	...	70	0 0			
		Carried forward	...	154273	0 0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...			271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	154273	0	0			
		SALARIES, FIXED—continued.						
1195	...	Rockingham ... Post and Telegraph Master	60	0	0			
1196	...	Do. do.	250	0	0			
1197	...	Chief Operator	220	0	0			
1198	...	Operator	155	0	0			
1199	...	Do.	155	0	0			
1200	...	Do.	145	0	0			
1201	...	Do.	130	0	0			
1202	...	Clerk	150	0	0			
1203	...	Messenger	60	0	0			
1204	...	Do.	70	0	0			
1205	...	Lineman	170	0	0			
1206	...	Serpentine ... Postmaster	50	0	0			
1207	...	Sharks Bay ... Post and Telegraph Master	170	0	0			
1208	...	Smith's Mill ... Postmaster	30	0	0			
1209	...	Post and Telegraph Master	220	0	0			
1210	...	Operator	100	0	0			
1211	...	Clerk	160	0	0			
1212	...	Do.	155	0	0			
1213	...	Southern Cross ... Do.	135	0	0			
1214	...	Messenger	60	0	0			
1215	...	Do.	50	0	0			
1216	...	Do.	50	0	0			
1217	...	Lineman	160	0	0			
1218	...	Star of the East ... Post and Telegraph Master	160	0	0			
1219	...	Strawberry ... Postmaster	36	0	0			
1220	...	Post and Telegraph Master	165	0	0			
1221	...	Assistant	100	0	0			
1222	...	Subioco ... Messenger and Letter Carrier	60	0	0			
1223	...	Do. do.	50	0	0			
1224	...	Messenger	40	0	0			
1225	...	Swan ... Postmaster	30	0	0			
1226	...	Tambourah ... Post and Telegraph Master	160	0	0			
1227	...	Tuckanarra ... Do. do.	150	0	0			
1228	...	Do. do.	160	0	0			
1229	...	Turkey Creek ... Lineman	135	0	0			
1230	...	Victoria Park ... Post and Telegraph Master	85	0	0			
1231	...	Messenger	45	0	0			
1232	...	Wagin ... Post and Telegraph Master	100	0	0			
1233	...	Messenger	50	0	0			
1234	...	Walebing ... Post and Telegraph Master	60	0	0			
1235	...	Lineman	170	0	0			
1236	...	Post and Telegraph Master	160	0	0			
1237	...	Walhall ... Assistant	130	0	0			
1238	...	Lineman	160	0	0			
1239	...	Walkaway ... Postmaster	72	0	0			
1240	...	Wandering ... Post and Telegraph Master	80	0	0			
		Carried forward	159536	0	0	271113	2	6

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward	...	...	...	271113	2	6
		Postal and Telegraph—continued.						
		Brought forward	159536	0	0			
		SALARIES, FIXED—continued.						
1241	...	Waroona { Post and Telegraph Master	80	0	0			
1242	...	Messenger	40	0	0			
1243	...	Warrawoona { Post and Telegraph Master	140	0	0			
1244	...	Whim Creek { Do. do.	145	0	0			
1245	...	Widgiemooltha { Do. do.	160	0	0			
1246	...	Do. do.	160	0	0			
1247	...	Williams { Messenger	40	0	0			
1248	...	Lineman	140	0	0			
1249	...	Winning Pool { Operator	170	0	0			
1250	...	Lineman	140	0	0			
1251	...	Wongamine { Postmaster	25	0	0			
1252	...	Operator	170	0	0			
1253	...	Wooramel { Lineman	140	0	0			
1254	...	Wyndham { Post and Telegraph Master	170	0	0			
1255	...	Operator	140	0	0			
1256	...	Post and Telegraph Master	180	0	0			
1257	...	Yalgoo { Operator	*10	0	0			
1258	...	Messenger	70	0	0			
1259	...	Yarloop { Post and Telegraph Master	150	0	0			
1260	...	Messenger	40	0	0			
1261	...	Post and Telegraph Master	220	0	0			
1262	...	Operator	100	0	0			
1263	...	Messenger and Letter Carrier	60	0	0			
1264	...	York { Do.	60	0	0			
1265	...	Do.	40	0	0			
1266	...	Lineman	160	0	0			
1267	...	Cadet	60	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY—£10,145 7s. 6d.						
1268 } 1275 }	8	Instrument Fitters, Telephone, 1 at 12s., 1 at 11s., 1 at 10s. 6d., 1 at 9s. 6d., 1 at 8s. 6d., 1 at 7s. 6d., 1 at 7s., and 1 at 6s., per diem	1126	16	0			
1276 } 1278 }	3	Apprentices, 1 at 5s., and 2 at 2s. 6d., per diem each	156	10	0			
1279 } 1280 }	2	Carpenters, 1 at 11s. 6d., 1 at 10s. 6d. per diem	344	6	0			
1281 } 1282 }	1	Blacksmith at 10s. 6d. per diem	164	6	6			
1283 } 1301 }	20	Labourers, 8 at 9s. 6d. per diem each, 2 at 9s., 6 at 8s. 6d., and 4 at 8s. per diem each	2770	1	0			
1302 } 1307 }	6	Line Repairers, 2 at 11s., and 4 at 8s. 6d. per diem each	876	8	0			
1308 } 1340 }	33	Receivers of Mail Bags in Country Districts, 12 at £52 per annum each, 2 at £50, 1 at £26, 4 at £20, 7 at £15, 1 at £12, and 6 at £10 per annum each	1007	0	0			
1341	...	Extra Clerical Assistance	700	0	0			
1342	...	Extra Labour	3000	0	0			
		Carried forward	172691	7	6	271113	2	6

* For one month.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			271113	2	6
Postal and Telegraph—continued.								
		Brought forward ...	172691	7	6			
ALLOWANCES—£11,300.								
1883 } 1880 }	238	Officers on Goldfields, 7 at £40, and 231* at £30 per annum each ...	7127	10	0			
1581 } 1538 }	5	Forage Allowances for Letter Carriers—2 at £40 each, 2 at £24 each, and 1 at £18 per annum ...	146	0	0			
1888 } 1854 }	69	Tropical Allowances—2 at £60 each, 21† at £50, 45 at £40, and 1 at £30 per annum ...	2954	10	0			
1655	1	Special Allowance—Mail Officer at Albany, at £15 per annum (for 4 months) ...	5	0	0			
1856 } 1881 }	6	Field Allowances—Relieving Officers, at £40 per annum each ...	240	0	0			
1881 } 1888 }	25	Allowances—Native Assistant Lineman—2 at £50 per annum, 1 at £45, 1 at £42, 1 at £40, and 20 at £30 per annum each ...	†827	0	0			
CONTINGENCIES—£79,640.								
1687	...	Conveyance of Inland Mails ...	40118	0	0			
1688	...	Conveyance of Foreign Mails ...	4752	0	0			
1689	...	Gratuities to Shipmasters ...	800	0	0			
1690	...	Rent of Buildings ...	500	0	0			
1691	...	Transport ...	1300	0	0			
1692	...	Travelling Expenses ...	1000	0	0			
1693	...	Telegraph Line Repairs ...	4000	0	0			
1694	...	Linemen's Equipments ...	700	0	0			
1695	...	Forage for Line Horses ...	1200	0	0			
1696	...	Incidental Expenses ...	2650	0	0			
1697	...	Telephone Materials, etc. ...	6500	0	0			
1698	...	Subsidies, Coastal Steam Services ...	7550	0	0			
1699	...	Subsidies and Guarantees ...	70	0	0			
1700	...	Stationery and Printing ...	1500	0	0			
1701	...	Fuel, Light, Water, and Sanitary ...	1000	0	0			
1702	...	Installing Metallic Circuit Telephones ...	3500	0	0			
1703	...	Removal of Telephone Exchange at Fremantle ...	1500	0	0			
1704	...	Placing Telephone Cables Underground, Perth ...	1000	0	0			
		Total Postal and Telegraph ...	...			263631	7	6
		Carried forward ...	...			534744	10	0

* Three for one month only. † One for one month only. ‡ Formerly included under the head "Salaries."

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			534744	10	0
A U D I T.								
SALARIES, FIXED—£3,844 3s. 4d.								
1	1	Auditor General ...	700	0	0			
2	1	Chief Clerk ...	425	0	0			
3	1	Chief Inspector of Accounts (7 months at £350 per annum) ...	204	3	4			
4	1	Inspector of Accounts ...	340	0	0			
5	1	Do. do. ...	340	0	0			
6	1	Clerk and Examiner ...	240	0	0			
7	1	Do. do. ...	215	0	0			
8	1	Do. ...	210	0	0			
9	1	Do. ...	210	0	0			
10	1	Do. ...	210	0	0			
11	1	Do. ...	180	0	0			
12	1	Do. ...	180	0	0			
13	1	Do. ...	160	0	0			
14	1	Do. ...	180	0	0			
15	1	Do. ...	100	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£1,753 10s.								
16	1	Clerk and Examiner ...	235	0	0			
17	1	Do. do. ...	210	0	0			
18	1	Do. ...	170	0	0			
19	1	Do. ...	170	0	0			
20	1	Do. ...	170	0	0			
21	1	Do. ...	160	0	0			
22	1	Do. (1 month at £180 per annum and 11 months at £150 per annum) ...	152	10	0			
23	1	Do. ...	150	0	0			
24	1	Do. Typist and Shorthand Writer ...	125	0	0			
25	1	Do. (5 months at £150 per annum) ...	62	10	0			
26	1	Do. (5 months at £150 per annum) ...	62	10	0			
27	1	Junior Clerk ...	50	0	0			
28	1	Office Cleaner ...	36	0	0			
CONTINGENCIES—£440.								
29	...	Incidental Expenses (including Travelling Expenses) ...	350	0	0			
30	...	Postage, Telephone Rent, and Foreign Telegrams ...	50	0	0			
31	...	*Stationery, Typewriters, etc. ...	40	0	0			
Total Audit ...			...			6037	13	4
Carried forward ...			...			540782	3	4

* Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			540782	3	4
OBSERVATORY.								
SALARIES, FIXED—£1,615.								
1	1	Government Astronomer ...	500	0	0			
2	1	Meteorological Computer and Astronomical Observer ...	260	0	0			
3	1	Astronomical Computer and Observer ...	250	0	0			
4	1	Do. do. (6 months at £200 per annum) ...	100	0	0			
5	1	Astrograph Observer and Mechanic ...	220	0	0			
6	1	Photographer (6 months at £150 per annum) ...	75	0	0			
7	1	Junior Clerk ...	130	0	0			
8	1	Weather Clerk ...	50	0	0			
9	1	Apprentice ...	30	0	0			
SALARIES, PROVISIONAL AND TEMPORARY—£670 4s.								
10	1	Meteorological Telegraphist and Observer, Perth ...	27	0	0			
11	1	Caretaker and Messenger, at 8s. per day ...	125	4	0			
12	1	Office Cleaner ...	30	0	0			
13	1	Observer, Albany ...	12	0	0			
14	1	Do. Balladonia ...	12	0	0			
15	1	Do. Breaksea Lighthouse ...	15	0	0			
16	1	Do. (Assistant) do. ...	6	0	0			
17	1	Do. do. do. ...	6	0	0			
18	1	Do. Broome ...	12	0	0			
19	1	Do. Bunbury ...	12	0	0			
20	1	Do. Cape Leeuwin Lighthouse ...	15	0	0			
21	1	Do. (Assistant) do. ...	6	0	0			
22	1	Do. do. do. ...	6	0	0			
23	1	Do. Carnarvon ...	12	0	0			
24	1	Do. Condon ...	12	0	0			
25	1	Do. Coolgardie ...	12	0	0			
26	1	Do. Cossack ...	12	0	0			
27	1	Do. Cue ...	12	0	0			
28	1	Do. Derby ...	12	0	0			
29	1	Do. Esperance Bay ...	12	0	0			
30	1	Do. Eyre ...	12	0	0			
31	1	Do. Fremantle ...	12	0	0			
32	1	Do. Geraldton ...	12	0	0			
33	1	Do. Hall's Creek ...	12	0	0			
34	1	Do. Hamelin Pool ...	12	0	0			
35	1	Do. Kalgoorlie ...	12	0	0			
36	1	Do. Karridale ...	12	0	0			
37	1	Do. Katanning ...	12	0	0			
38	1	Do. Lake Way ...	12	0	0			
39	1	Do. Laverton ...	12	0	0			
40	1	Do. Lawlers ...	12	0	0			
41	1	Do. Menzies ...	12	0	0			
42	1	Do. Nullagine ...	12	0	0			
		Carried forward ...	2139	4	0	540782	3	4

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			540782	3	4
		Observatory—continued.						
		Brought forward ...	2189	4	0			
		SALARIES, PROVISIONAL AND TEMPORARY—continued.						
43	1	Observer, Onslow ...	12	0	0			
44	1	Do. Peak Hill ...	12	0	0			
45	1	Do. Rottneft ...	12	0	0			
46	1	Do. Southern Cross ...	12	0	0			
47	1	Do. Thomas Police Station ...	12	0	0			
48	1	Do. Wyndham ...	12	0	0			
49	1	Do. Yalgoo ...	12	0	0			
50	1	Do. York ...	12	0	0			
51	...	Temporary Labour ...	50	0	0			
		CONTINGENCIES—£1,040.						
52	...	Incidental Expenses (including Travelling Expenses) ...	200	0	0			
53	...	Meteorological Instruments, etc. ...	300	0	0			
54	...	*Stationery, Typewriters, etc., (including Books) ...	110	0	0			
55	...	Postage, Telephone Rent, and Foreign Telegrams ...	130	0	0			
56	...	Measuring Astrographic Plates ...	100	0	0			
57	...	Light, Fuel, Water, and Sanitary Services ...	200	0	0			
		Total Observatory ...	...			3325	4	0
		PHOTO-LITHOGRAPHIC.						
		SALARIES, FIXED—£2,680.						
1	1	Government Photo-lithographer ...	325	0	0			
2	1	Clerk ...	170	0	0			
3	1	Caretaker and Messenger ...	120	0	0			
		<i>Drafting Staff.</i>						
4	1	Chief Lithographic Draftsman ...	275	0	0			
5	1	Lithographic Draftsman ...	250	0	0			
6	1	Do. ...	250	0	0			
7	1	Do. ...	230	0	0			
8	1	Do. ...	190	0	0			
		<i>Photo-Litho. Staff.</i>						
9	1	Photo-Lithographic Operator ...	200	0	0			
		<i>Printing Staff.</i>						
10	1	Foreman, Lithographic Printer ...	220	0	0			
11	1	Lithographic Printer ...	190	0	0			
12	1	Do. Assistant ...	130	0	0			
13	1	Warehouseman, Paper-cutter ...	130	0	0			
		Carried forward ...	2680	0	0	544107	7	4

*Foreign Telegrams were classified with Stationery last year, and are now included with Postage, etc.

Appropriation—1900-1.

COLONIAL SECRETARY—(continued).

Item No.	No. of Persons.		£	s.	d.	£	s.	d.
		Brought forward ...	...			544107	7	4
		Photo-Lithographic—continued.						
		Brought forward ...	2680	0	0			
		SALARIES, PROVISIONAL AND TEMPORARY— £2,880.						
		<i>Drafting Staff.</i>						
14	1	Lithographic Draftsman ...	220	0	0			
15	1	Do. ...	200	0	0			
16	1	Do. ...	200	0	0			
17	1	Do. ...	200	0	0			
18	1	Do. ...	200	0	0			
19	1	Do. ...	190	0	0			
20	1	Do. ...	190	0	0			
21	1	Do. ...	190	0	0			
		<i>Printing Staff.</i>						
22	1	Lithographic Printer ...	180	0	0			
23	1	Lithographic Machinist ...	160	0	0			
24	1	Do. ...	160	0	0			
25	1	Assistant Machinist ...	140	0	0			
26	1	Lithographic Printer Assistant ...	120	0	0			
27	1	Lithographic Printer Assistant and Engine-minder ...	130	0	0			
28	1	Feeder (Machine) ...	52	0	0			
29	1	Do. do. ...	52	0	0			
30	1	Photo-Litho. Assistant ...	36	0	0			
31	1	Stone-cleaser ...	130	0	0			
32	1	Do. ...	130	0	0			
		CONTINGENCIES—£1,080.						
33	...	Incidental Expenses ...	75	0	0			
34	...	Postage and Telephone Rent ...	25	0	0			
35	...	Photographic Material and Purchase of new Camera and Lens ...	350	0	0			
36	...	General Lithographic Material, Draftsmen's Requisites, Stones, Paper, Ink, etc. ...	420	0	0			
37	...	Light, Fuel, and Water ...	60	0	0			
38	...	New Machinery and Repairs ...	100	0	0			
39	...	Sanitation ...	25	0	0			
40	...	Stationery, Typewriters, etc., for Office ...	25	0	0			
		Total Photo-Lithographic ...				6640	0	0
		Total Colonial Secretary ...				550747	7	4
		Amount brought forward from Attorney General ...				1830409	18	9
		TOTAL ...				2381157	6	1

Appropriation—1900-1.

SCHEDULE C.

GENERAL LOAN FUND FOR THE SERVICES OF THE YEAR ENDING
30TH JUNE, 1901.

SUMMARY.

Class.								£	s.	d.
I.	Departmental	...	...	...	...	...	...	47,754	10	0
II.	Railways and Tramways	..	...	...	...	...	...	506,876	5	9
III.	Harbour and River Improvements	...	...	...	...	...	...	223,602	4	7
IV.	Water Supply and Sewerage for Towns	...	...	...	...	...	...	22,000	0	0
V.	Coolgardie Water Supply	...	...	...	...	...	...	850,000	0	0
VI.	Development of Goldfields and Mineral Resources	...	...	...	...	...	...	49,734	18	6
VII.	Roads and Bridges	...	...	...	...	...	...	1,225	5	6
VIII.	Development of Agriculture	...	...	...	...	...	...	8,000	0	0
IX.	Immigration	...	...	...	...	...	...	1,713	1	2
X.	Miscellaneous (including charges and expenses of raising loans)	...	...	...	...	...	...	37,613	14	9
	Total	...	...	...	...	...	...	1,748,520	0	3

Appropriation—1900-1.

GENERAL LOAN FUND.

ITEMS 1900-1901.

Item No.							£ s. d.	£ s. d.
	CLASS I.							
	DEPARTMENTAL.							
	Perth Office.							
1	Cement Tester ...	...	...	...	...	...	300 0 0	
2	Shorthand Clerk ...	...	...	...	...	...	200 0 0	
3	Junior Clerk ...	...	...	...	...	...	60 0 0	
4	Engineering Cadet for 9 months at £90 p.a.	...	...	...	...	...	*67 10 0	
5	Do. do. 5 months at £70, and 7 months at £90 p.a.	...	...	...	...	...	81 13 4	
6	Do. do. 4 months at £70, and 8 months at £90 p.a.	...	...	...	...	...	83 6 8	
7	Do. do. 9 months at £90 p.a.	...	...	...	...	...	*67 10 0	
8	Do. do. 4 months at £70, and 8 months at £90 p.a.	...	...	...	...	...	83 6 8	
9	Do. do. 6 months at £70 p.a.	...	...	...	...	...	*35 0 0	
10	Do. do.	...	...	...	...	...	90 0 0	
11	Do. do.	...	...	...	...	...	90 0 0	
12	Do. do.	...	...	...	...	...	70 0 0	
13	Do. do.	...	...	...	...	...	70 0 0	
14	Do. do.	...	...	...	...	...	70 0 0	
	Construction of Railways.							
15	Engineer-in-Charge (also of Harbours and Rivers)	...	...	...	...	...	800 0 0	
16	District Engineer	...	...	...	...	...	400 0 0	
17	Resident do.	...	...	...	...	...	400 0 0	
18	Do. do. 8 months at £400 p.a.	...	...	...	...	...	266 13 4	
19	Assistant do.	...	...	...	...	...	300 0 0	
20	Do. do. 6 months at £250 p.a.	...	...	...	...	...	*125 0 0	
21	Do. do.	...	...	...	...	...	200 0 0	
22	Do. do.	...	...	...	...	...	190 0 0	
23	Do. do.	...	...	...	...	...	180 0 0	
24	Mechanical Engineer (Midland Junction Workshops)	...	...	...	...	...	500 0 0	
25	Draftsman (Chief)	...	...	...	...	...	275 0 0	
26	Do.	...	...	...	...	...	250 0 0	
27	Do. junior	...	...	...	...	...	150 0 0	
28	Do. do.	...	...	...	...	...	70 0 0	
29	Bookkeeper (Principal) and Clerk	...	...	...	...	...	230 0 0	
30	Clerk ...	...	...	...	...	...	200 0 0	
31	Do.	...	...	...	...	...	110 0 0	
32	Typist ...	...	...	...	...	...	110 0 0	
33	Supervisor and Works Manager ...	...	...	...	...	...	240 0 0	
	General Water Supply and Metropolitan Sewerage and Water Supply.							
34	Engineer-in-Charge, also of Roads and Bridges, and, for portion of year, Metropolitan Sewerage and Water Supply	...	...	...	...	...	700 0 0	
35	District Engineer	...	...	...	...	...	400 0 0	
36	Do.	...	...	...	...	...	400 0 0	
37	Do.	...	...	...	...	...	400 0 0	
38	Assistant Engineer	...	...	...	...	...	300 0 0	
39	Do.	...	...	...	...	...	275 0 0	
40	Do.	...	...	...	...	...	275 0 0	
41	Do. 9 months at £250 p.a.	...	...	...	...	...	*187 10 0	
42	Do.	...	...	...	...	...	240 0 0	
43	Do.	...	...	...	...	...	240 0 0	
44	Principal Draftsman	...	...	...	...	...	275 0 0	
45	Draftsman	...	...	...	...	...	220 0 0	
46	Do.	...	...	...	...	...	220 0 0	
47	Do.	...	...	...	...	...	180 0 0	
	Carried forward	...	...	...	...	...	10677 10 0	

* Provision for portion of year only.

*Appropriation—1900-1.*GENERAL LOAN FUND—*continued.*

Item No.		Brought forward	£	s.	d.	£	s.	d.
			10677	10	0			
	General Water Supply, etc.—continued.							
48	Chief Bookkeeper	...	200	0	0			
49	Principal Clerk	...	250	0	0			
50	Clerk	...	210	0	0			
51	Do.	...	200	0	0			
52	Do.	...	190	0	0			
53	Do.	...	190	0	0			
54	Do.	...	180	0	0			
55	Junior Clerk	...	90	0	0			
56	Do.	...	60	0	0			
57	Technical Clerk	...	250	0	0			
58	Supervisor	...	220	0	0			
59	Do.	...	200	0	0			
	Fremantle Harbour Works.							
60	Resident Engineer	...	700	0	0			
61	Assistant do.	...	400	0	0			
62	Draftsman	...	250	0	0			
63	Do.	...	235	0	0			
64	Do.	...	160	0	0			
65	Surveyor	...	300	0	0			
66	Assistant Surveyor, 9 months at £180 per annum	...	*135	0	0			
67	Master, Dredge "Fremantle"	...	336	0	0			
68	Mate do.	...	240	0	0			
69	Chief Engineer do.	...	312	0	0			
70	Second do. do.	...	228	0	0			
71	Engineer and Master, "Premier"	...	336	0	0			
72	Navigating Officer do.	...	300	0	0			
73	Second Engineer do.	...	228	0	0			
74	Master, Dredge "Parmelia"	...	336	0	0			
75	Mate do.	...	240	0	0			
76	Chief Engineer do.	...	312	0	0			
77	Second do. do.	...	228	0	0			
78	Master of Tug "Pelican"	...	275	0	0			
79	Chief Engineer do.	...	264	0	0			
80	Engineer and Master, "Governor,"	...	336	0	0			
81	Navigating Officer do.	...	300	0	0			
82	Second Engineer do.	...	228	0	0			
83	Workshops Manager	...	350	0	0			
84	Accountant	...	250	0	0			
85	Clerk, Returns	...	225	0	0			
86	Do. Correspondence	...	200	0	0			
87	Do. Accounts	...	200	0	0			
88	Do. Property	...	190	0	0			
89	Do. Accounts...	...	180	0	0			
90	Do. Store	...	180	0	0			
91	Do. do.	...	160	0	0			
92	Assistant Returns Clerk, 9 months at £180 per annum	...	*135	0	0			
93	Storekeeper	...	275	0	0			
	Coolgardie Water Supply.							
94	Engineer-in-Charge (also, for portion of year, Engineer-in-Charge Metropolitan Sewerage and Water Supply)	...	800	0	0			
95	Resident Engineer	...	500	0	0			
96	Do. unattached	...	375	0	0			
97	Do. 1 month at £400 p.a.	...	*38	6	8			
98	Assistant Engineer	...	300	0	0			
	Carried forward	...	23949	16	8			

*Provision for portion of year only.

*Appropriation—1900-1.***GENERAL LOAN FUND—continued.**

Item No.		£	s.	d.	£	s.	d.
	Brought forward ...	23949	16	8			
	Coolgardie Water Supply—continued.						
99	Assistant Engineer ...	275	0	0			
100	Do. ...	275	0	0			
101	Do. ...	265	0	0			
102	Do. ...	250	0	0			
103	Do. ...	250	0	0			
104	Do. ...	240	0	0			
105	Do. 6 months at £240 p.a. ...	*120	0	0			
106	Do. ...	225	0	0			
107	Do. ...	225	0	0			
108	Do. ...	225	0	0			
109	Do. ...	225	0	0			
110	Do. junior ...	175	0	0			
111	Mechanical Engineer ...	240	0	0			
112	Architect, 8 months at £300 p.a. ...	200	0	0			
113	Travelling Inspector ...	313	0	0			
114	Draftsman (Supervising) ...	260	0	0			
115	Do. ...	210	0	0			
116	Do. ...	190	0	0			
117	Do. ...	190	0	0			
118	Do. ...	190	0	0			
119	Do. ...	180	0	0			
120	Do. ...	170	0	0			
121	Do. junior ...	130	0	0			
122	Do. do. ...	130	0	0			
123	Mechanical Draftsman ...	210	0	0			
124	Assistant Surveyor ...	240	0	0			
125	Computer ...	190	0	0			
126	Principal Clerk ...	275	0	0			
127	Technical Clerk ...	250	0	0			
128	Bookkeeper ...	240	0	0			
129	Record Stores and Contract Clerk ...	220	0	0			
130	Record Clerk ...	200	0	0			
131	Clerk ...	180	0	0			
132	Do. ...	180	0	0			
133	Do. ...	170	0	0			
134	Do. ...	170	0	0			
135	Do. ...	170	0	0			
136	Do. ...	170	0	0			
137	Do. ...	170	0	0			
138	Do. ...	170	0	0			
139	Do. ...	160	0	0			
140	Do. ...	160	0	0			
141	Do. ...	150	0	0			
142	Do. ...	150	0	0			
143	Messenger ...	40	0	0			
144	Typist ...	120	0	0			
145	Supervisor ...	200	0	0			
146	Do. ...	200	0	0			
147	Do. ...	180	0	0			
148	Do. ...	180	0	0			
	Engineering Surveys.						
149	Inspector, Engineering Surveys ...	700	0	0			
150	Engineering Surveyor ...	450	0	0			
151	Do. do. ...	350	0	0			
152	Do. do. 6 months at 17s. 6d. p.d. ...	*140	0	0			
153	Chief Land Resumption Surveyor ...	350	0	0			
154	Land Resumption Surveyor ...	275	0	0			
	Carried forward ...	36112	16	8			

* Provision for portion of year only.

*Appropriation—1900-1.*GENERAL LOAN FUND—*continued.*

Item No.							£	s.	d.	£	s.	d.
						Brought forward	36112	16	8			
						Engineering Surveys—continued.						
155	Assistant Surveyor	...	...	...	...	...	260	0	0			
156	Do.	...	...	...	...	...	240	0	0			
157	Do.	11 months at £200 p.a.	...	...	...	...	*183	6	8			
158	Do.	11 months at £200 p.a.	...	...	...	...	*183	6	8			
159	Assistant Engineer	...	...	...	...	...	260	0	0			
160	Do.	...	...	...	...	...	260	0	0			
161	Draftsman (Chief)	...	...	...	...	...	300	0	0			
162	Draftsman	...	...	...	...	...	200	0	0			
163	Do.	...	...	...	...	...	200	0	0			
164	Do.	...	...	...	...	...	200	0	0			
165	Do.	...	...	...	...	...	200	0	0			
166	Do.	...	...	...	...	...	200	0	0			
167	Do.	...	...	...	...	...	190	0	0			
168	Do.	10 months at £180 p.a.	...	...	...	...	*150	0	0			
169	Do.	10 months at £180 p.a.	...	...	...	...	*150	0	0			
170	Junior Draftsman	...	...	...	...	...	80	0	0			
171	Clerk, Principal and Accounts	...	...	...	...	...	225	0	0			
172	Do. (Correspondence)	...	...	...	...	...	200	0	0			
173	Plan Mounter	...	...	...	...	...	190	0	0			
174	Messenger	...	...	...	...	...	125	0	0			
						Stores.						
175	Stores Manager	...	...	...	...	...	325	0	0			
176	Clerk	...	...	...	...	...	210	0	0			
177	Do.	...	...	...	...	...	210	0	0			
178	Do.	...	...	...	...	...	200	0	0			
179	Do.	...	...	...	...	...	190	0	0			
180	Do.	...	...	...	...	...	190	0	0			
181	Do.	...	...	...	...	...	180	0	0			
182	Do.	...	...	...	...	...	170	0	0			
183	Do.	...	...	...	...	...	170	0	0			
184	Do.	...	...	...	...	...	160	0	0			
185	Do.	...	...	...	...	...	160	0	0			
186	Do.	...	...	...	...	...	150	0	0			
187	Messenger	...	...	...	...	...	60	0	0			
188	Do.	...	...	...	...	...	50	0	0			
189	Junior Clerk	...	...	...	...	...	40	0	0			
						Total Salaries	42574	10	0			
190	Allowances and Travelling Expenses	...	...	...	...	...	2500	0	0			
191	Departmental Stables—Wages, Forage, etc.	...	...	...	...	...	500	0	0			
192	Stationery	...	...	...	...	...	600	0	0			
193	Railway Fares	...	...	...	...	...	1400	0	0			
194	Allowances to Supervisors when in an Administrative Capacity, 3 at £60 p.a.	...	...	...	...	...	180	0	0			
						Total Departmental				47,754	10	0
						Carried forward				47,754	10	0

* Provision for portion of year only.

Appropriation—1900-1.

GENERAL LOAN FUND—continued.

Item No.		£	s.	d.	£	s.	d.
	Brought forward ... ..	...			47,754	10	0
	CLASS II.						
	RAILWAYS AND TRAMWAYS:						
195	*Geraldton to Murchison Goldfields Railway	25000	0	0			
196	*Southern Cross to Kalgoorlie Railway	493	0	6			
197	*Donnybrook towards Bridgetown Railway	5054	3	8			
198	*Collie Coalfield Railway	21	15	8			
199	*Menzies Railway	4788	8	7			
200	*Kanowna Railway	787	13	5			
201	Kalgoorlie Boulder Railway	3436	6	7			
202	*Greenhills Railway	100	0	0			
203	*Boulder Railway, Duplication (Construction)	36610	9	5			
204	Boulder-Brown Hill Loop Line	14000	0	0			
205	*Menzies to Leonora (1st instalment of Construction)	35000	0	0			
206	*Northam towards Goomalling Railway	35473	11	8			
207	*Additions and Improvements to Opened Railways (administered by Working Railways Department)	98112	16	3			
208	*Railway Workshops	35000	0	0			
209	Rails and Fastenings	150000	0	0			
210	Rolling Stock	60000	0	0			
211	Surveys New Lines (including Malcolm to Laverton, and Fremantle, via Jandakot, to South-Western Railway, and Boulder to Kalgoorlie, via Boulder and Kalgoorlie Race Course, etc.), also Preliminary Inspection of Route, Kalgoorlie to Eucla	3000	0	0			
	Total Railways and Tramways ... ..	...			506,876	5	9
	CLASS III.						
	HARBOUR AND RIVER IMPROVEMENTS:						
212	Fremantle Harbour Works (including Cable to Rottneest and Wharf Sheds)	150000	0	0			
213	Fremantle Dock and Slip	5000	0	0			
214	Fremantle Sea Wall and Esplanade	2000	0	0			
215	Bunbury Breakwater, Completion of	202	4	10			
216	Bunbury Harbour Works	20000	0	0			
217	Carnarvon Jetty	808	2	9			
218	Carnarvon Harbour Works, etc.	6000	0	0			
219	Point Sampson, near Cossack, Stock Jetty and Approaches	5000	0	0			
220	Port Hedland Jetty and Approach Road	15	15	4			
221	Wyndham Jetty	100	0	0			
222	Bunbury Jetty	55	13	0			
223	Albany Harbour Works	3000	0	0			
224	Busselton Harbour Works	646	8	10			
225	Ashburton Jetty	1659	9	6			
226	Ashburton River Water Supply	1000	0	0			
227	Improvements to Harbours and Rivers	5788	1	1			
228	Lighthouse at Cape Leeuwin	61	15	5			
229	Lighthouses	18264	13	10			
230	Dredges and Barges	2000	0	0			
231	Derby Harbour Works	2000	0	0			
	Total Harbour and River Improvements ... ..	...			223,602	4	7
	CLASS IV.						
	WATER SUPPLY AND SEWERAGE FOR TOWNS:						
232	Water Supply for Towns	7000	0	0			
233	Sewerage for Perth and Fremantle	15000	0	0			
	Total Water Supply and Sewerage for Towns ... ..	...			22,000	0	0
	Carried forward ... ..	...			800,233	0	4

* Exclusive of rails and fastenings, and rolling stock.

*Appropriation—1900-1.*GENERAL LOAN FUND—*continued.*

Item No.		£	s.	d.	£	s.	d.
	Brought forward ... ..	...			800,233	0	4
	CLASS V.						
	COOLGARDIE WATER SUPPLY:						
234	Pumping Engines and Sheds for same	100000	0	0			
235	Main Pipes (including Valves, etc.) at Fremantle	500000	0	0			
236	Main Pipes, Carriage from Fremantle	50000	0	0			
237	Main Pipes, Laying and Jointing (including Excavation and Filling-in of Pipe Trench, etc.)	100000	0	0			
238	Reservoirs	100000	0	0			
	Total Coolgardie Water Supply ... ..	...			850,000	0	0
	CLASS VI.						
	DEVELOPMENT OF GOLDFIELDS AND MINERAL RESOURCES:						
239	Kimberley District	1000	0	0			
240	Murchison and Peak Hill Goldfields	5000	0	0			
241	Pilbarra Goldfields	2091	3	8			
242	Other Goldfields (including Boring for Coal and Miscellaneous)	1643	14	10			
243	Development, generally	20000	0	0			
244	Erection Public Batteries	20000	0	0			
	Total Development of Goldfields and Mineral Resources ... ..	...			49,734	18	6
	CLASS VII.						
245	ROADS AND BRIDGES	1225	5	6			
					1,225	5	6
	CLASS VIII.						
246	DEVELOPMENT OF AGRICULTURE (Administered by Lands Department.)	8000	0	0			
					8,000	0	0
	CLASS IX.						
247	IMMIGRATION (Administered by Colonial Secretary's Department.)	1713	1	2			
					1,713	1	2
	CLASS X.						
248	MISCELLANEOUS (INCLUDING CHARGES AND EXPENSES OF RAISING LOANS AND DISCOUNT ON LOANS) (Administered by Treasury Department.)	37613	14	9			
					37,613	14	9
	TOTAL ... ..	...			1,748,520	0	3

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. V.

AN ACT relating to Members of the Federal
Parliament of the Commonwealth of Aus-
tralia.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows (that is to say):—

1. THIS Act may be cited as the Constitution Act Amendment Act, 1900, and shall be read and construed as one with the Constitution Act, 1889, and its amendments.

Short title and construction.

2. NO Member of either House of the Parliament of the Commonwealth of Australia shall, at the same time, be qualified for nomination or election as a Member of either House of the Parliament of Western Australia.

Disqualification of Federal Members for Western Australian Parliament.

3.

Constitution Act—Amendment.

Members of Western
Australian Parlia-
ment to vacate seats
on sitting in Federal
Parliament.

3. WHEN any Member of either House of the Parliament of Western Australia is elected a Member of either House of the Parliament of the Commonwealth of Australia, he shall vacate his seat in the Parliament of Western Australia on taking his seat in the Parliament of the Commonwealth.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.



Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. VI.

AN ACT for determining the Divisions in

1900, Page 169. 64 Vict., No. 6.—*Superseded* by division made under No. 19 of 1902
(Commonwealth).

for each Division.

[Assented to, 5th December, 1900.]

WHEREAS by Part III. of Chapter I. of the Act of the Imperial Parliament of Great Britain and Ireland, called The Commonwealth of Australia Constitution Act, it is amongst other things provided that, until the Parliament of the Commonwealth otherwise provides, the Parliament of any State may make laws for determining the Divisions in each State for which Members of the House of Representatives of the Parliament of the Commonwealth may be chosen by such State, and the number of Members to be chosen for each Division: And whereas the Colony of Western Australia is an original State in the Commonwealth of Australia: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and

Preamble.

63 & 64 Vict., cap.
s. 29.

Legislative

Federal House of Representatives W.A. Electorates.

Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows (that is to say):—

Short title and commencement.

1. THIS Act may be cited as the Federal House of Representatives Western Australian Electorates Act, 1900, and shall come into operation on the first day of January, 1901.

Meaning of "electoral district" and "division."

Nos. 1075, 1427.

2. IN this Act, unless the context otherwise requires,—

"Electoral District" means Electoral District for the Legislative Assembly as described in The Constitution Act Amendment Act, 1899;

"Minister" means the Minister administering this Act.

Division of Western Australia into electoral districts for Federal House of Representatives.

3. FOR the purpose of the election of Members of the House of Representatives of the Parliament of the Commonwealth of Australia, Western Australia shall be and the same is hereby divided into five Federal Electorates. Each of such Federal Electorates shall choose one Member for the House of Representatives of the Parliament of the Commonwealth.

Boundaries, subdivisions, and names of electoral districts.
Schedule.

4. THE names of the said Federal Electorates shall be those set forth in column one of the Schedule to this Act, and each Federal Electorate shall consist of the Electoral Districts set forth in column two of the said Schedule opposite to the names of the said Federal Electorates respectively.

Application of the laws of Western Australia relating to elections.

5. EXCEPT that no elector shall vote more than once at the election of representatives, the Laws in force for the time being relating to the conduct of elections for the Legislative Assembly, the persons entitled to vote at such election, the proceedings before, at, and subsequent to such elections and to all incidental matters shall, so far as the same are applicable, and so far as this Act does not otherwise prescribe, apply *mutatis mutandis* to elections held under this Act.

Voters to be questioned as to having voted before.

6. THE Presiding Officer may challenge a voter as to his right to vote by requiring an answer to the questions numbered (1), (3), and (4), contained in the one hundred and fifth section of the Electoral Act, 1899, and is hereby required to put to every voter the following question:—

See Commonwealth, etc., Act, s. 30.

Have you already voted, either here or in any other Electorate in Western Australia, at this election of members for the Federal House of Representatives?

and, unless the answer is in the negative, the Returning Officer shall reject the vote.

Every

Federal House of Representatives W.A. Electorates.

Every elector wilfully making a false answer to any question put to him under this section shall be liable to imprisonment not exceeding two years.

7. THE Governor may make regulations for the return of the writs for elections to be held under this Act, and otherwise for carrying into effect the provisions of this Act. ^{Regulations.}

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE.

Section 3.

**FEDERAL ELECTORATES IN WESTERN AUSTRALIA RETURNING MEMBERS TO THE
HOUSE OF REPRESENTATIVES OF THE PARLIAMENT OF THE COMMONWEALTH
OF AUSTRALIA.**

Column 1.	Column 2.
Name of Federal Electorates.	Electoral Districts included in Federal Electorates.
COOLGARDIE	1. Mt. Burges 2. Coolgardie 3. Cue 4. East Kimberley 5. West Kimberley 6. Mt. Magnet 7. Mt. Margaret 8. Menzies 9. North Murchison 10. Pilbarra 11. Yilgarn
FREMANTLE	1. Claremont 2. Cockburn Sound 3. Fremantle 4. East Fremantle 5. North Fremantle 6. South Fremantle 7. Murray 8. South Perth
KALGOORLIE	1. Boulder 2. Dundas 3. Hannan's 4. Kalgoorlie 5. Kanowna
SWAN	1. Albany 2. Beverley 3. Bunbury 4. Gascoyne 5. Geraldton 6. Greenough 7. Irwin 8. Moore 9. Murchison 10. Nelson 11. Northam 12. Plantagenet

SCHEDULE.

*Federal House of Representatives W.A. Electorates.*SCHEDULE.—*continued.*

Column 1. — Name of Federal Electorates.	Column 2. — Electoral Districts included in Federal Electorates.
SWAN (<i>continued</i>)	<ul style="list-style-type: none"> 13. Roebourne 14. South-West Mining 15. Sussex 16. Swan 17. Toodyay 18. Wellington 19. Williams 20. York
PERTH	<ul style="list-style-type: none"> 1. Guildford 2. Perth 3. East Perth 4. North Perth 5. West Perth 6. Subiaco

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. VII.

AN ACT to amend the Game Act, 1892.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. IN the seventh section of the Game Act, 1892, the words "The Colonial Secretary" are hereby struck out, and the words "The Minister administering this Act" are substituted therefor.

Amendment of s. 7
of principal Act.

2. AFTER the expiration of ten days from the commencement of the period proclaimed as a close season for any bird or animal of a kind mentioned in the First Schedule of the principal Act, and before the termination of such period, no person, unless licensed under section seven of the said Act, shall knowingly sell, buy, or have in his possession or control the dead body of any such bird or animal, whether native or imported; and every person contravening this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of One pound for every such dead bird or animal in his possession or control, unless the Justices hearing the

Within a certain
period no person to
have any dead bird
or animal of the kind
mentioned in First
Schedule of principal
Act.

case

Game Act—Amendment.

case are satisfied that such dead bird or animal was imported from beyond the Colony, the proof of which shall lie on the person accused.

Penalty for using
swivel gun, etc.,
against native birds.

3. NO person shall use a swivel gun or punt gun, or any gun other than one fired from the shoulder, for the purpose of wounding or killing any native bird; and every person contravening this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than Five pounds, and to the forfeiture of the gun so unlawfully used.

Punishment of
offences.

4. ALL offences against this Act shall be punishable, and orders and convictions in respect thereof shall be subject to appeal as if they were offences against the principal Act.

Inspectors.

5. THE Governor may appoint Inspectors to assist in enforcing the provisions of the principal Act and this Act.

Regulations.

6. THE Governor may make regulations for the better carrying into effect of the principal Act and this Act.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

64 VICT., 1900.

111

Page 177.

64 Vict., No. 8.—Repealed by No. 32 of 1906.

AN ACT to consolidate and amend the Law relating to Municipalities.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited for all purposes as the Municipal Institutions Act, 1900.

Short title.

2. THIS Act is divided into twenty-three parts, as follows:—

PART I.—CONSTITUTION OF MUNICIPALITIES, ss. 9–39.

Division of Act.

PART II.—MUNICIPAL COUNCIL—QUALIFICATION OF MAYOR, AUDITORS, AND COUNCILLORS, ss. 40–125.

PART III.—OFFICERS OF THE MUNICIPALITY, ss. 126–138.

PART IV.—OUSTER FROM OFFICE, ss. 139–141.

PART V.—THE COUNCIL, ETC., ss. 142–166.

PART

Municipalities.

- PART VI.—BY-LAWS, REGULATIONS, AND JOINT REGULATIONS, ss. 167–201.
- PART VII.—LANDS AND PROPERTY OF MUNICIPALITIES OR OF WHICH THEY ARE TRUSTEES, ss. 202–205.
- PART VIII.—CONTRACTS, ss. 206–209.
- PART IX.—POWER TO TAKE LAND FOR WORKS AND UNDERTAKINGS, ss. 210–218.
- PART X.—STREETS, WAYS, ROADS, BRIDGES, FERRIES, CULVERTS, ETC., ss. 219–278.
- PART XI.—SEWERAGE, ETC., ss. 279–283.
- PART XII.—LIGHTING, ss. 284–285.
- PART XIII.—WATER SUPPLY, ss. 286–289.
- PART XIV.—BATHS AND WASHHOUSES, ss. 290–293.
- PART XV.—POUNDS AND ABATTOIRS, s. 294.
- PART XVI.—PROTECTION OF WORKS IN PROGRESS, ETC., s. 295.
- PART XVII.—WEIGHBRIDGES AND MARKETS, ss. 296–321.
- PART XVIII.—FUNDS AND REVENUES OF MUNICIPALITIES, ss. 322–324.
- PART XIX.—RATES, ss. 325–361.
- PART XX.—BORROWING POWERS, ss. 362–397.
- PART XXI.—ACCOUNTS AND AUDIT, ss. 398–411.
- PART XXII.—LEGAL PROCEEDINGS AND ENFORCEMENT OF ACT, ss. 412–445.

Repeal of Acts.

3. THE Acts mentioned in the First Schedule to this Act, to the extent to which the same are thereby expressed to be repealed, are hereby repealed: Provided that such repeal shall not affect property vested, acts and things validated, or authorised powers and protection acquired, and indemnities given under any of the Acts hereby repealed—

First Schedule.

All contracts may be made, carried out, and varied and enforced as if this Act had not passed.

All creditors shall have the same rights and remedies, and all debentures shall have the same force and effect as if this Act had not passed.

All councillors and officers in office at the commencement of this Act shall remain in office as if this Act had been in force at the time they were elected or appointed, and they had

Municipalities.

had been elected or appointed hereunder, and this Act shall apply to them accordingly.

All by-laws, regulations, and joint regulations in force at the commencement of this Act shall continue in force until they are respectively repealed hereunder. See 59 Vict., No. 10, s. 103.

All rates which, under the Acts hereby repealed, or any of them, are at the commencement of this Act due or payable to, or leviable by or for any municipality, shall be paid, received, levied, and recovered as if this Act had not passed.

All rights and liabilities in respect of any land taken possession of by the council of any municipality for arrears of rates, and the rents and profits thereof, shall remain the same as if this Act had not passed.

All books and documents made evidence shall continue evidence to the same extent as if this Act had not passed.

All works and undertakings authorised to be executed, and engagements existing at the commencement of this Act, shall be carried on under this Act.

All municipal rolls in force at the commencement of this Act shall be deemed to have been made under this Act, and any municipal rolls in course of preparation at the commencement of this Act may be completed under this Act, and this Act shall apply to all such rolls accordingly.

4. SAVE so far as there is anything in this Act inconsistent therewith, this Act shall apply to all matters and things made, done, or commenced under any repealed Act, and at the commencement of this Act of any force or effect, or capable of acquiring any force or effect by virtue of any Act hereby repealed, as if this Act had been in force at the time they were made, done, or commenced, and they were made, done, or commenced hereunder. Application of Act to matters and things done.

5. WHERE by any statute, by-law, instrument, or other document, reference is made to any Act hereby repealed, or any of the provisions thereof, the statute, by-law, instrument, or document shall be construed and have effect as if reference were made therein to this Act or the corresponding provisions hereof. Reference to Acts repealed.
59 Vict., No. 10, s. 7.

6. IN this Act, save where there is something in the context inconsistent therewith:— Interpretation.

“Cattle” shall include horses, mares, fillies, foals, geldings, colts, camels, bulls, bullocks, cows, heifers, steers, calves, asses, mules, sheep, ewes, wethers, rams, lambs, goats, dogs, and swine.

“Council”

Municipalities.

See 59 Vict., No. 10,
R. 3.

- “Council” shall mean the council of a municipality.
- “Duties” includes responsibilities and obligations.
- “Land” shall include all reclaimed land, houses, and other structures or property erected thereon, under, but shall not include any machinery, whether to the soil or not, for the purposes of valuation of annual value.
- “Mayor” shall include chairman.
- “Minister” shall mean the Minister of the Crown administering this Act or the part of this Act to which the expression refers.
- “Municipality” shall mean any locality the citizens or inhabitants of which are already incorporated or become incorporated under this Act.
- “Occupier” shall mean the inhabitant occupier of any land, or, if there be no inhabitant occupier, the person entitled to the possession thereof, and shall include leaseholder or holder under agreement for lease.
- “Owner” shall include the person for the time being receiving or entitled to receive the rents and profits of any lands within any municipality, whether on his own account or as agent, trustee, or attorney for another person.
- “Passenger vehicle” shall include any carriage, wagonette, cabriolet, cab, public conveyance, tramway car, motor, cart, coach, omnibus, spring cart, or other vehicle of a like nature plying for hire.
- “Pave, paved, and paving” shall mean and include making a hard and convenient surface with asphalt, flags, tilings, or other stones, wood, gravel, metal-siftings, shell, or any other material not being sand which the council deem it expedient to use for such purpose.
- “Person” shall mean and include partnership, company, or corporation.
- “Powers” includes rights, jurisdiction, capacities, privileges, authorities, and immunities.
- “Public place” shall include every street, lane, footpath, court, and alley which the public are allowed to use, and whether formed on private property or not, within the limits of a municipality.
- “Public reserve” includes park lands, squares, reserves, and lands included in or adjoining any municipality which are at

Municipalities.

at the commencement of this Act or hereafter may be declared to be set apart for the use and enjoyment of the inhabitants of such municipality, and vested in or under the care, control, or management of the council of the municipality.

the occupier of any ratable land and

shall include deputy returning officer.

“Way” shall include every square, alley, court, highway, terrace, and thoroughfare which the public are allowed to use within the limits of a municipality less than sixty-six feet in width.

“Surveyor” shall mean the surveyor for the municipality or other officer authorised to act as such for the time being.

“Town Clerk” shall include the clerk of the municipality or any officer appointed to act as such for the time being.

“Street” and “Road” shall mean and include every thoroughfare which the public are allowed to use, within the limits of a municipality, being sixty-six feet or more in width.

7. IN all cases in which any matter or thing is hereby required to be published or advertised, the same shall be inserted in a newspaper generally circulating in the municipality.

In what newspapers certain advertisements shall be published.

8. WHENEVER any day, or the last of several days, provided or appointed by or under this Act for any purpose in any year happen on a Sunday, Good Friday, Christmas Day, or bank holiday, or a gazetted or public holiday then such provisions and appointment shall take effect as for the next following business day.

*Sundays, holidays, etc.
59 Vict., No. 10,
s. 30.*

PART I.—CONSTITUTION OF MUNICIPALITIES.

9. THE inhabitants of every municipality for the time being, subject to the provisions of this Act shall, under the name of the mayor and councillors of such municipality as the case may be, be a body corporate with perpetual succession and a common seal, with power to break, alter, and change the same from time to time with the approval of the Governor, and shall by such name be capable in law of suing and being sued, or purchasing, holding, and alienating land, and of doing and suffering subject to the provisions of this Act all such other acts and things as bodies corporate may by law do and suffer; and the corporation of every municipality as constituted under this Act shall be the same corporation as the corporation of the same municipality existing at the commencement of this Act.

Municipalities to be body corporate with common seal.

And

Municipalities.

And every municipality subject to the provisions of this Act shall be governed by a council, and all acts of the council shall be deemed to be acts of the municipality.

Constitution of
Council.

59 Vict., No. 10, s. 8.

10. SUBJECT to the provisions of this Act, for the government of every municipality, there shall be a council, which shall consist, where the population is declared by the Governor as hereinafter mentioned to be—

- (a.) Under one thousand, of a mayor and six councillors;
- (b.) Over one thousand, and not exceeding five thousand, of a mayor and nine councillors;
- (c.) Over five thousand, of a mayor and twelve councillors, or three councillors for each ward:

Provided, that where a municipality is divided into wards, the council shall at all times consist of an equal number of members for each ward.

Power of Governor
to declare municipa-
lities.

See 59 Vict., No. 10,
s. 9.

11. (1.) THE Governor may, subject to the provisions of this Act, from time to time, by proclamation declare any town or locality containing ratable property capable of yielding upon a rate not exceeding One shilling in the pound on the annual value thereof, calculated under the provisions of this Act, a sum of Three hundred pounds, to be a municipality, and may, by the same or any subsequent proclamation, define the boundaries of such municipality; and upon the publication of such proclamation in the *Government Gazette*, the inhabitants of such town or locality and their successors inhabitants of the same shall be, and the same are hereby constituted a body corporate and politic, by and under the name, style, and title to be mentioned in such proclamation.

(2.) And the Governor may, by like proclamation published as aforesaid—

Declare wards.

Unite municipalities.

Sever portion.

- (a.) Divide any municipality into wards and define the boundaries thereof.
- (b.) Unite any two or more municipalities which form one continuous area so as to form one municipality.
- (c.) Sever any portion of a municipality therefrom, and either declare such portion to be a new municipality or annex the same to some other municipality or some roads board with which the portion so severed forms one continuous area; and, from time to time, make any apportionment of property, rights and liabilities, and give any directions as to any matters and things that may be necessary to do justice as between the municipalities or roads boards concerned.

(d.)

Municipalities.

- (d.) Annex any land forming with the municipal district of some municipality one continuous area to such municipality. Annex out-lying district.
- (e.) Alter the boundaries of or abolish in part or in the whole the wards or subdivisions existing in any municipality. Alter boundaries.
- (f.) Create new wards within a municipality. Create new wards.
- (g.) Determine and alter within the limits prescribed by this Act the number of councillors assigned to any municipality.
- (h.) Alter and adjust the boundaries of conterminous municipalities, and determine any questions arising out of such alteration and adjustment, and from time to time make any apportionment of property, rights, and liabilities, and give any directions as to any matters and things that may be necessary to do justice as between the municipalities. Alter boundaries.
- (i.) Declare any municipality having in the year preceding such declaration a population of twenty thousand and a gross revenue of twenty thousand pounds a city. Declare municipality a city.
- (j.) Alter the name of any municipality and of the corporation thereof. Alter name of municipality.
- (k.) Declare the number of the population of any municipality. Declare number of population.
- (3.) When, in consequence of the exercise of any of the foregoing powers, any rights, liabilities, or matters require to be adjusted, the Governor may, by order, settle and adjust the same. Rights and liabilities to be settled.

Division 1.—New Municipalities.

12. WHEN any new municipality is constituted, having for or included in its municipal boundaries the whole of or a portion severed from a previously existing municipality, roads board, or other corporation, the following consequences shall follow:— Adjustment of rights, etc., between old and new municipalities, etc.

- (a.) All by-laws and regulations of such previously existing municipality in force in the portion of the municipality, roads board, or other corporation, forming or included in the boundaries of such newly-constituted municipality shall, so far as the same are applicable, be deemed by-laws and regulations respectively of such newly-constituted municipality, and may by it be repealed. Loc. Govt. Act (Vic.), s. 17.

Municipalities.

repealed or altered ; and, save as aforesaid, all by-laws and regulations of such previously existing municipality, roads board, or other corporation shall, as to the portion forming or included in the boundaries of the newly-constituted municipality, be repealed.

- (b.) Such newly-constituted municipality shall become jointly liable with such previously existing municipality, roads board, or other corporation, in respect of all debts and liabilities due or incurred at the time of the severance with respect to the portion so severed.
- (c.) No action, suit, or other proceeding, by or against any such previously existing municipality, roads board, or other corporation shall be affected or abated.
- (d.) Such newly-constituted municipality shall be entitled to such portion of the property and assets of the previously existing municipality, roads board, or other corporation ; and shall be as between it and such municipality, roads board, or other corporation, liable to pay such portion of the debts and liabilities thereof as bears the same proportion to the whole as the value of the ratable property in the portion of the municipality, roads board, or other corporation, severed from such previously existing municipality, roads board, or other corporation bore to the value of the ratable property in the whole municipality, roads board, or other corporation upon the last valuation before the severance.

Division 2.—Union of Municipalities.

Order uniting
municipalities.
Ibid., s. 18.

13. EVERY proclamation uniting two or more municipalities shall assign a name to such united municipality.

Effect of union on
municipalities.

14. UPON any such union of municipalities, the municipality formed by such union shall have a municipal district being the aggregate of the municipal districts of the municipalities united, and shall be deemed to be one and the same municipality as each of the municipalities by the union of which it was formed ; and all rights and duties of such municipalities against or owing to each other shall be extinguished, and all land, property, moneys, rights, and liabilities of, and all rates due, contracts and engagements existing, and all actions, suits, and prosecutions pending, and all matters and things not otherwise provided for, made, or done by or on behalf of each of the municipalities so united shall vest in and attach to and be deemed to have been made, or done by or on behalf of the municipality formed by such union.

15.

Municipalities.

15. UPON any union of municipalities all the by-laws and regulations in force in any of the municipalities united at the time of the union which are applicable to the altered circumstances shall become by-laws and regulations, respectively, of the municipality formed by such union, and may be by it repealed or altered, but until so repealed or altered every such by-law and regulation shall remain in force in the district only in which it was in force previous to such union; and every by-law and regulation which cannot be restricted to any particular district shall be deemed inapplicable, and all by-laws and regulations which are inapplicable to the altered circumstances shall be by such union repealed.

Effect of union on by-laws.

Ibid., s. 21.

16. UPON any union of municipalities, the council formed by such union shall, until the conclusion of the next annual election, consist of all the councillors of the municipalities united or who may be elected to fill extraordinary vacancies.

Effect of union on Council.

Ibid., pt. s. 22.

Division 3.—Severance from Municipal Districts.

17. EVERY proclamation severing any portion of a municipality therefrom may abolish all the wards, and either constitute the municipality as undivided or re-divide the same into wards. Should the proclamation not abolish all the wards, the same shall be deemed to abolish every ward so severed, and as regards every ward of which a portion only is severed, shall either abolish such ward and annex the residue thereof to some other ward, or in separate portions to some other wards, or shall declare that such residue shall thenceforth be deemed a ward.

Powers in event of severance.

Ibid., s. 23.

18. IN case any ward is abolished, the councillors returned therefor shall, upon such abolition, cease to be members of the council, and the number of the councillors shall be reduced accordingly.

Reduction in council on cancellation of division.

Ibid., s. 24.

19. THE powers in that behalf hereinbefore provided shall not be exercised in such a way as to reduce the number of councillors assigned to any municipality to less than six.

Number not to be reduced to less than six.

Ibid., s. 25.

Division 4.—Annexation to Municipalities.

20. WHEN a proclamation annexing any district to a municipality divided into wards retains the existing divisions and constitutes a new ward, such new ward shall immediately thereupon be entitled to return as many councillors as sit for each of the previously existing wards, and the number of the council shall be increased accordingly, but the council shall not be otherwise affected by such proclamation.

How annexation of new division affects the council.

Municipalities.

Effect of annexation
on by-laws.

Ibid., s. 30.

21. UPON the annexation to a municipality of any portion severed from another municipality, roads board, or other corporation, all by-laws and regulations in force in the portion severed, which are applicable to the altered circumstances thereof, shall remain in force therein, and as so in force shall be deemed by-laws and regulations respectively of the municipality to which the same is annexed, and may by it be repealed or altered, and no by-law or regulation of such municipality the application whereof can be restricted to any separate portion of the municipality shall be deemed in force in such annexed portion unless and until it is by any by-law or by-laws provided otherwise; and all by-laws and regulations of the municipality, roads board, or other corporation of which such portion was severed, which are inapplicable to the altered circumstance, shall as to such severed portion be by such severance repealed.

Division 5.—Division of Municipalities and Alteration in the Council.

How division, alteration in the division, or in the number of councillors affects the council.

Ibid., s. 31.

22. WHEN any proclamation is made whereby the number of councillors in any municipality is altered, or any municipality is divided or redivided, such proclamation shall not affect the council or the filling-up of extraordinary vacancies therein until the conclusion of the annual election next after such proclamation takes effect.

When alterations in divisions deemed abolition or re-division.

Ibid., s. 32.

23. A PROCLAMATION altering the boundaries of any wards in any municipality or annexing any portion to any ward shall not be deemed to redivide the municipality or abolish the wards thereof, or in any way to affect the council or councillors of the municipality, unless it is so expressed in the proclamation.

Division 6.—Changes in Name.

Change of name of municipality.

See 59 Vict., No. 10, s. 10

Local Government Act (Vic.), part s. 33.

24. AFTER the taking effect of any proclamation changing the name of any municipality, the name shall be changed accordingly; but such municipality shall notwithstanding be deemed the same before and after such change of name, and no action or other matter or thing shall be affected or abated thereby.

Division 7.—Procedure.

Exercise of the powers conferred on the Governor.

Local Government Act (Vic.), s. 34.

25. THE Governor may exercise any of the powers hereinbefore conferred after the presentation of a petition in pursuance of the provisions of this Act for the exercise thereof, and after the publication of such petition as herein described and the lapse of one month at the least from the day of such publication, and except as hereinafter provided, not otherwise; but it shall be in the discretion of the Governor absolutely to refuse the prayer of any such petition or to grant the whole or any part thereof.

26.

Municipalities.

26. PETITIONS for the exercise of the powers contained in this Act must be signed respectively in manner hereunder provided (that is to say)—

Signature of
petition.

Ibid., s. 35, in part.

- (1.) For the constitution of a municipality, by not fewer than fifty persons who would, upon the incorporation thereof, be liable to be assessed for municipal taxes in respect of land or household residence within any proposed municipality, whether actually resident within the same or not, including a majority of the persons on any municipal roll in respect of land in any portion of any municipality, roads board, or other corporation proposed to be included in such municipality.
- (2.) For the union of municipalities, with the common seal of the municipalities affected.
- (3.) For the annexation to a municipality of a portion severed from another or a roads board or other corporation, by a majority of the persons on the municipal or other roll in respect of ratable land in such portion.
- (4.) For the annexation of an outlying district to a municipality, by not less than twenty persons, either resident householders or owners of ratable land within such outlying district, with the common seal of the municipality to which it is proposed to be annexed.
- (5.) To divide or redivide any municipality or to alter the boundaries of or abolish the wards existing in any municipality by one-third of the persons on the municipal roll.
- (6.) For the alteration of the number of councillors for any municipality, with the common seal of the municipality.
- (7.) To declare any municipality a city, with the common seal of the municipality.
- (8.) To alter the name of any municipality, with the common seal of the municipality.

Proportion altered
from one-fourth.

A petition signed so as to support the exercise of any of the powers hereinbefore mentioned shall be deemed sufficiently signed to support the exercise of any other of such powers which may be necessary for the convenient exercise of such first-mentioned power.

27. THE Governor may by proclamation alter, for the purpose of adjustment, the boundaries of conterminous municipalities or wards without petition.

Power to adjust
boundaries.

Ibid., s. 36.

28. IF within one month after the publication of any petition praying for the constitution of a municipality, or the division or redivision of or the alteration or abolition of the divisions in any municipality,

Counter-petition in
certain cases.

Ibid., s. 37.

Municipalities.

municipality, a counter-petition, in accordance with the provisions of this Act, signed by an equal or larger number of persons qualified to sign a like petition than have signed the petition be presented, no proclamation shall be made on such petition.

Presentation of
petition and counter-
petition.

29. EVERY petition and counter-petition shall be addressed to the Governor, and shall be left with the Minister, which shall be deemed the presentation thereof.

Ibid., s. 39.

Verification of
petition.

30. THE signatures to any petition or counter-petition shall be verified by solemn declaration made before any Justice of the Peace of some person signing the petition ; and such declaration shall be in the form or to the effect in the Second Schedule hereto, and no petition or counter-petition shall be received by the Minister unless the same be accompanied by a declaration in accordance with the provisions of this section.

Ibid., s. 40.

Second Schedule.

Scrutiny of signa-
tures.

31. IF it shall be credibly represented to the Minister that any of the signatures to any petition or counter-petition are not the signatures of the persons whose signatures they purport to be, or that any such signatures are those of persons not qualified to sign, or that certain persons have signed both the petition and counter-petition, or that in any other respect the provisions hereof with regard to such petition or counter-petition have not been complied with, or if it shall seem expedient to ascertain the truth of any matter to which such petition or counter-petition refers, it shall be lawful for the Minister to cause an inquiry to be made with respect thereto, and the consideration of the matter by the Governor shall be deferred until the person appointed by the Minister to make such inquiry shall have made and submitted his report thereon.

Power to take
evidence.

See *ibid.*, s. 45.

32. FOR the purpose of every such inquiry it shall be lawful for the person appointed in that behalf by the Minister to hear, receive, and examine evidence, and by summons under his hand to require all such persons as he may think fit to appear personally before him, at a time and place to be appointed in such summons, and to produce before him all such books and papers in their possession or under their control as may appear necessary for their examination, and other the general purposes of this inquiry.

Report.

See *ibid.*, s. 45.

33. THE results of such inquiry shall, within one month after such appointment as aforesaid, be embodied in a report to the Minister, and submitted to him by the person so appointed ; and after consideration of such report the Governor shall take such further proceedings in connection therewith, under the provisions hereof, as may be deemed necessary.

34.

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34. EVERY petition shall state precisely what exercise of any of the powers hereinbefore conferred on the Governor is sought by the petitioners, and shall pray for the specific exercise thereof. Every petition for the constitution of a new municipality, or the division or re-division of a municipality shall describe the boundaries of the proposed new municipality of the district proposed to be annexed or of every proposed division, as the case may be, and every petition shall state an address at which notices may be served on the petitioners.

Form of petition.

Ibid., s. 41.

35. THE same petition may pray for the exercise of any one or more of the powers hereinbefore conferred on the Governor, and every petition shall be framed so as to enable the subject-matter of such petition to be completely disposed of in one proclamation.

Petition may pray for the exercise of more powers than one.

36. ON the presentation of any petition the Minister shall cause the substance and the prayer thereof to be published in four issues of the *Government Gazette*, and the last day on which such petition is so published shall be deemed the day of the publication thereof.

Publication of substance of prayer of petition.

Ibid., s. 43.

37. EVERY proclamation made under the provisions of this part of this Act shall be published in the *Government Gazette*, and shall take effect from the day of such publication.

Order to take effect on publication.

Ibid., s. 46.

38. ANY error in any proclamation under this part of this Act or under any of the analogous provisions of the Acts hereby repealed may be rectified by the Governor by any subsequent proclamation.

Rectification of errors.

Ibid., s. 47.

39. A COPY of the *Government Gazette* purporting to be printed by the Government Printer, containing any such proclamation as aforesaid, shall be received in all places and at all times as evidence of the facts mentioned in such proclamations.

Gazette to be evidence.

59 Vict., No. 10, s. 11.

PART II.—MUNICIPAL COUNCIL, QUALIFICATION OF MAYOR, AUDITORS, AND COUNCILLORS.

Division 1.—Qualifications.

40. UNLESS disqualified under this Act, every owner or occupier liable to be rated in respect of land of the ratable value of not less than Ten pounds shall be eligible for election as a mayor or councillor for any such municipality: Provided that no councillor shall be capable of being elected an auditor in and for the municipality of which he is a councillor.

Qualification of mayor and councillors.

See 59 Vict., No. 10, ss. 55, 56 (amended).

41. NO female nor minister of religion, and no uncertificated or undischarged bankrupt, and no person attainted of treason or convicted

Disqualifications.

Municipalities.

Local Government
Act (Vic.), s. 50.

See 59 Vict., 10, s. 54.

convicted of felony or perjury, or any infamous crime ; no person of unsound mind, nor any person under composition with his creditors by any deed of assignment or arrangement under or by virtue of the Bankruptcy Act, 1892, or any amending Act, duly executed by him, shall be capable of being or continuing a mayor, auditor, or councillor of any municipality.

Disqualification on
the ground of
interest.

59 Vict., No. 10, s. 54.

42. NO person holding any office or place of profit under or in the gift or disposal of the council of any municipality, or concerned or participating in any manner, whether directly or indirectly, in any contract or employment with any municipality or in any works to be done under the authority of any such council, shall be capable of being or continuing mayor or councillor of the municipality: Provided that such disqualification shall not extend to any mayor or councillor by reason of his being beneficially interested in any newspaper in which the council inserts advertisements, or by reason of being a proprietor or shareholder, or a shareholder in any duly incorporated company, having at least twenty *bonâ fide* shareholders, during a contract or contracts with any council, or who, in the ordinary course of business, and not pursuant to any written contract *bonâ fide* sells goods to or does work for such municipality ; but no mayor or councillor being such proprietor or shareholder, or selling goods to or doing work for, as aforesaid, shall take part in any discussion, or vote on any question relating to any such matters as aforesaid in which he is interested.

Qualification and dis-
qualification of audi-
tors.

43. THE disqualification for the office of auditor shall be the same as in the case of a mayor or councillor.

No mayor, councillor,
or auditor to enter
on office till he has
taken oath.

See *ibid.*, s. 97.

44. NO person elected to be mayor, councillor, or auditor under this Act shall be capable of acting as such until he has first taken the oath of allegiance to Her Majesty, Her Heirs and successors as follows:—"I, A.B., do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Colony of Western Australia. So help me God." And in like manner has made and subscribed the declaration following (that is to say): "I, A.B., having been elected mayor (or one of the auditors or councillor, for as the case may be), do hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability." And in case any person elected as mayor, councillor, or auditor does not within two months after his election take such oath and make and subscribe such declaration, his seat shall become vacant. The said oaths shall be taken by reading the same aloud in the municipal chamber or other place

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place used for the meeting of the council, and subscribing the same, in the case of the mayor, before his predecessor as such mayor, or a Justice of the Peace, and in the case of a councillor or auditor, before the mayor of the municipality: Provided that if the taking of an oath is according to the religious belief of any person so elected unlawful, such person may make and subscribe the following affirmation, which shall be made and subscribed in like manner and in the same place and at the same time as the oath is by this section required to be taken and subscribed:—"I, A.B., do solemnly declare that the taking of an oath is according to my religious belief unlawful, and I do sincerely promise and affirm that I will be faithful and bear true allegiance to Her Majesty Queen Victoria as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Colony of Western Australia." And whensoever the demise of Her present Majesty (whom may God long preserve) or of any of Her successors shall be notified by the Governor to the Council, the members of the Council shall, before they shall be permitted to sit and vote therein, take and subscribe the like oath or affirmation of allegiance to the successor for the time being to the Crown.

45. ANY person holding the office of mayor or councillor, being adjudicated bankrupt, or having executed any deed of assignment, or arrangement with his creditors under the Bankruptcy Act, 1892, or any amending Act, or being absent without leave from the meetings of the council for more than four ordinary meetings, or ceasing to be qualified as required by section forty, shall thereby become disqualified, and shall cease to hold such office: Provided, however, that every person becoming disqualified by reason of being adjudicated bankrupt or the execution of any deed of assignment or arrangement as aforesaid, shall, on obtaining his certificate, or on payment of his debts in full, or obtaining a release from his creditors, be capable of being re-elected.

Supervening disqualification.

See *ibid.*, s. 93.

46. EVERY person who acts as a mayor, councillor, or auditor, being incapacitated under the provisions of this Act to be or continue such, or before he has made and subscribed the declaration as aforesaid, shall, save in the case of incapacity proceeding from unsoundness of mind, be guilty of an offence against this Act, and liable for every such offence to a penalty of Fifty pounds, and such penalty may be recovered by any person, with full costs of suit, before any two Justices; and in every such action the person sued shall prove that at the time of so acting he was qualified under the provisions of this Act, and had made and subscribed the declaration, or shall be adjudged to pay the said penalty and costs without any other evidence being required from the plaintiff than that such person had acted as a mayor, councillor, or auditor under this Act.

Penalty for acting when disqualified.

See *ibid.*, s. 31.

All

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All acts and proceedings of any person elected and acting as mayor, councillor, or auditor shall, notwithstanding that any such person has not been or is not duly qualified, be as valid and effectual as if such person had been duly qualified.

Division 2.—Retirement and Vacancies.

Mayor, councillors,
and auditors, when
to enter on office.
See *ibid.*, ss. 91, 92.

47. THE mayor, councillors, and auditors, when elected, shall enter upon their duties on the first day of December following the annual election: Provided that where an election is held for the first time, or where an additional number of councillors are elected, or an extraordinary vacancy occurs under the provisions of this Act, councillors shall enter upon their duties immediately after election. Any mayor or auditor elected on or after the first day of July in any year shall remain in office until the thirtieth day of November in the year following the election.

Councillors when to
resign office.
Ibid., s. 92.

48. THE councillors shall go out of office in the following order: that is to say, in case the municipality is not divided into wards, if the number of councillors be divisible by three, or, if divided into wards, one-third of the councillors shall go out of office on the thirtieth day of November following the first election, another one-third on the thirtieth day of November succeeding, and the remaining one-third on the thirtieth day of November after that. Where, under the provisions of this Act, an additional number of councillors have been elected, one of such councillors shall go out of office on the thirtieth day of November following their election, another on the thirtieth day of November succeeding, and the other on the thirtieth day of November following. After the first election all councillors shall be elected for a term of three years. Where the municipality is not divided into wards, and the number of councillors consists of not more than six, one-third shall go out of office on the thirtieth day of November following the first election, and another one-third on the thirtieth day of November after that; and the remaining one-third on the thirtieth day of November following. The councillors to go out of office shall always be those who have been longest in office without re-election, and in cases where two or more councillors are elected on the same day, as between themselves, those having the smallest number of votes at such election shall be deemed the longest in office for this purpose; and as between any councillors who may be elected by an equality of votes or without a poll it shall be determined by lot in what rotation, as between themselves, such councillors shall retire.

Extraordinary
vacancy.
See *ibid.*, s. 93.

49. IF any mayor, councillor, or auditor shall die or resign his office, or shall neglect or refuse to accept such office in the manner and within the time prescribed, or shall, by any rule or order

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order of the Supreme Court to be made as hereinafter provided, be declared ousted of such office, or shall otherwise become disqualified, then the office of the same shall become vacant, and every such vacancy shall be deemed an extraordinary vacancy.

50. EVERY person elected to fill an extraordinary vacancy for councillor, shall be deemed, for the purpose of retirement, to have been elected when his immediate predecessor in office was elected, and shall retire accordingly: Provided always, that such person so retiring shall be capable of being re-elected, if duly qualified.

Duration of office
on election on extra-
ordinary vacancy.

See *ibid.*, s. 96.

51. EVERY person elected as mayor, councillor, or auditor may at any time resign, and the resignation shall be held to be complete from the date of its being received by the town clerk.

Power to resign.

Ibid., s. 98.

Division 3.—Municipal Roll.

52. EVERY British subject of the full age of twenty-one years, being resident within the Colony and not subject to any legal incapacity, who—

Qualification of
electors.

See *ibid.*, s. 37
altered.

- (1.) On the first day of September in any year is seised of or in occupation of any ratable land within the limits of any municipality or city; and
- (2.) Has, on or before the 1st day of September, paid all sums due and payable by him in respect of Health Rates, and any rates and assessments ordered to be struck by the council for the current year,

shall be entitled to have his name inserted in the municipal electoral list for such municipality, and the ward electoral list for each and every ward in which any such land is situated; provided that in no case shall the owner of land and the person in occupation thereof be both separately enrolled or inserted in such list in respect of such land, or any part thereof; and provided also that the person in occupation of any ratable land shall be entitled to be enrolled in respect of such land instead of the owner thereof.

53. WHEN a corporation or firm is liable to be rated in respect of land in any municipality, such corporation or firm may, by letter, delivered on or before the first day of September in any year to the town clerk, appoint a person to be enrolled in the place of such corporation or firm, and such person shall, for the purposes of this Act, be deemed liable to be rated in respect of land in such municipality of equal ratable value to that for which the corporation or firm is liable to be rated.

Power to corpor-
ations to nominate a
person to be placed
on the roll.

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Joint owners may
appoint one of their
number to be
enrolled.

54. WHERE more persons than one are jointly liable to be rated in respect of land in any municipality, such persons may, by writing under their hands, delivered on or before the first day of September in any year to the town clerk, appoint one of their number to be enrolled in respect of such land, and such person shall, for the purposes of this Act, be deemed liable to be rated in respect of such land.

Mayor and auditors
by whom elected.
Ibid., s. 38.

55. THE mayor and auditors shall be elected by the persons whose names are on the municipal electoral list in force for the time being within the municipality, and at any such elections, and also in voting upon the question of any proposed loan, as hereinafter mentioned, each person shall have a number of votes proportionate to the ratable value of the land of which such person is seised or possessed as owner or occupier, set against his name on the said list, according to the following scale:—

RATABLE VALUE OF LAND.	NUMBER OF VOTES
Twenty-five pounds and under	One.
Over twenty-five pounds and not exceeding fifty pounds	Two.
Exceeding fifty pounds and not exceeding seventy-five pounds	Three.
Exceeding seventy-five pounds	Four.

II.,

The councillors for each ward shall be elected by the persons whose names are on the ward electoral list in force for the time being within such ward; and at any such election each person shall have one or two votes proportionate to the ratable value of the land of which such person is seised or possessed within such ward, as owner or occupier, set against his name on the said ward electoral list according to the following scale:—

RATABLE VALUE OF LAND.	NUMBER OF VOTES.
Fifty pounds and under	One.
Exceeding fifty pounds	Two.

See *ibid.*, s. 39.
Third Schedule.

56. ON or before the twentieth day of September in each year the town clerk shall make out, according to the form given in the Third Schedule to this Act, a list to be called "The Voters' List," of the names of all persons entitled to have their names inserted in the ward electoral list as voters at the election of councillors for such ward; and also of all persons entitled to have their names inserted in the municipal electoral list, as voters at the election of a mayor and auditors, and shall arrange such

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such list according to the alphabetical order of surnames contained therein, and shall state in such list against the name of each person the several particulars indicated in the several columns of the said schedule. The said lists so prepared shall be signed or initialled by the mayor, and a copy thereof shall, on the said day, be affixed on some building in each ward.

57. ANY person on or before the thirtieth day of September in any year—

- (a.) Whose name has been omitted from such electoral lists may apply by letter, delivered or sent through the post addressed to the town clerk, to have his name inserted therein, and shall give particulars of his claim ;
- (b.) Whose name has been inserted in such electoral lists as a voter, who is dissatisfied with such lists as not specifying the full ratable value of the land of which he is seised or possessed, may likewise apply to the town clerk to have the amount of such ratable value altered, and shall give particulars of such claim ;
- (c.) Whose name appears on such electoral lists or who claims to have his name inserted in such lists may object to any other person as not being entitled to have his name retained thereon ; or as not being entitled to have the number of votes set against his name therein ;
- (d.) Whose name has been omitted from such electoral lists and who claims to be entitled to have a vote or votes for any ratable land for which the name of some other person is entered in such lists, may likewise apply to the town clerk to have his name substituted for the name of such other person.

Persons omitted from or dissatisfied with such lists may claim to have their names inserted.

Ibid., s. 42, with addition.

New.

Provided that any claim or objection under Sub-sections (c) and (d), and the grounds of such claim or objection shall be made in duplicate by the person so claiming or objecting in the forms given in the Fourth Schedule hereto, or to the like effect personally, or through the post to the town clerk, and it shall be the duty of the town clerk to send one of such notices to the person objected to.

Fourth Schedule.

58. THE mayor shall cause lists to be made showing the names and addresses of the several persons claiming to have their names inserted on such electoral lists, or to have the amount of the ratable value of the lands set against their names on such electoral lists altered, and the particulars of such claims ; and also of the persons whose names, or the ratable value of whose lands have been duly objected to as aforesaid ; and shall cause a copy

Lists to be published of persons claiming and of persons objected to.

Ibid., s. 43.

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copy of every such list, with appropriate headings to the same, showing the contents thereof, to be affixed on some building in each ward on or before the third day of October in each year.

Council of every municipality to hold a Court for revision of list.

Ibid., s. 44.

59. THE council shall hold an open Court to be called a Revision Court within the municipality for the purpose of revising the electoral lists thereof; and such revision shall take place at such time and place as the mayor shall appoint, between the tenth and twentieth days of October (both inclusive) in each year; and the mayor shall give six clear days' notice of the holding of such Court, and of the time and place thereof, by placing such notice on some building within the municipality and by advertisement in some newspaper. The Court shall consist of the mayor of the municipality, or, in his absence, of a chairman appointed by the other members of the Court, and of not fewer than one-third of the councillors, and every such Court may be adjourned, and, if at any time for half-an-hour after the time appointed for holding any such Court or adjourned Court a sufficient number of councillors to form a Court is not present, the mayor, or, in his absence, any councillor or the town clerk shall adjourn the Court.

Clerks, valuers, and collectors to attend Court.

60. THE town clerk shall himself, or by some person on his behalf, if he be prevented from so doing, attend the Revision Court, and produce to the said Court the voters' list, and also copies of the lists (if any) of the persons who have sent in claims, and of the persons who have been objected to; and the valuer or valuers, and all collectors of rates, shall attend the said Court, and produce to the said Court all books, papers, and documents in their possession connected with their respective offices, and shall answer all such questions as the Court may put to them touching any matters necessary to be ascertained for revising the voters' list.

Revision Court may summon witnesses.

Ibid., s. 45.

61. THE Revision Court shall have authority to hear, receive, and examine evidence, and, by summons, under the hand of the mayor, require all persons as the Court may think fit to appear personally before such Court, at a time and place to be named in such summons, and to produce to such Court all books and papers in their possession or under their control as may appear necessary for the purpose of their examination; and the said Court shall have the like powers for compelling the attendance of witnesses summoned and their examination upon and taking of oaths and affirmations and their answering questions touching the premises as by any law in force for the time being is vested in Justices exercising summary jurisdiction; and the mayor may issue any such summons at any time after he has appointed a time for holding the said Court, and the said Court shall, by the decision of the majority, determine upon the validity of all claims and objections, and

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and any person failing to obey the summons of the said Court shall be liable to a penalty not exceeding Ten pounds, recoverable before any two Justices.

62. THE Revision Court shall insert in the voters' list under revision the name of every person who has claimed as aforesaid, and is proved to the satisfaction of the Court to be entitled to be inserted in the voters' list for one or more votes, according to the provisions of this Act, and shall retain on the said list the names of all persons to whom no objection has been duly made and the number of votes set against the same unaltered, and shall also retain on the said list the name of every person who has been objected to by any person and the number of votes set against the same unaltered, unless the person so objecting appears by himself, or by someone on his behalf, in support of such objection, and proves the service of the requisite notices; and when the name of any person inserted in any list, or the number of votes set against the same has been duly objected to, and the person objecting appears by himself or by someone on his behalf in support of such objection, the Court shall require proof of so much of the qualification of the person so objected to as is embraced in the grounds of objection and no more; and in case the qualification of such person is not proved to the satisfaction of the Court, the said Court shall expunge the name of such person from the said list, or shall alter and correct the number of votes set against the same, as the case may require; and the said Court shall also expunge the name of every person who is proved to be dead, and shall, by means of inspection of the voters' list, rate-book, and valuation and return, correct any mistake, or supply any omission which may appear to such Court to have been made in any of the said lists in respect of the name, place of abode, or trade or occupation of any person who is included therein, or in respect of the local description of the ratable property, or the situation or the ratable value thereof: Provided always, that no person's name shall be inserted by the said Court in any such list, or shall, except in case of death, be expunged therefrom, unless notice has been given as is hereinbefore required in each of the said cases.

Hearing of claims and objections, and correction of voters lists.

Ibid., s. 46.

63. IN case it appears to the Court that any person has made or attempted to sustain any frivolous or vexatious claim or objection, it shall be lawful for the Court to award such costs, not exceeding Five pounds, as it may seem meet, to be paid by such person to the person resisting such claim or objection; and the same may, in default of payment, be recovered before any two Justices.

Costs in frivolous or vexatious claims or objections.

Ibid., s. 47.

64. THE mayor shall, in open Court, write his initials against the name struck out or inserted as aforesaid, and against any

Certificate, etc., of revision of voters' list.

Ibid., s. 48.

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any part of the list in which any mistake shall have been corrected or omission supplied; and shall also initial every page of the list so settled, and shall then cause to be written at the foot or end of the list a certificate that the same has been revised and is correct, with the date thereof; and the mayor, and not fewer than two other members of the Court, shall severally sign such certificate.

Clerk to make out roll.

Ibid., s. 49 (varied).

Fifth Schedule.

65. THE list so signed and certified shall be delivered to the town clerk, who shall copy the names of the electors in alphabetical order in a roll or book in the form contained in and with the several particulars required by the Fifth Schedule, and shall prefix to every name a number, beginning such numbers at the first name on the roll with the number one, and continuing them on in regular arithmetical series to the last name thereon, and shall cause a sufficient number of copies of the roll to be printed, and shall sign and deliver the said roll to the mayor of the municipality.

Roll signed to be voters' roll.

Ibid., s. 50.

66. THE printed roll, so signed as aforesaid, shall be the ward electoral list or roll and municipal list or roll respectively for the municipality, and shall continue in force until new lists or rolls have been made for the municipality, under the provisions of this Act, whether the same have been duly made at the time hereby appointed or afterwards.

Clerk to furnish copies of lists.

Ibid., s. 51.

67. THE town clerk shall from time to time furnish a copy or copies of such electoral lists to any person requiring them on the payment of a reasonable price for the same, not exceeding the sum of Five shillings for each copy.

Signed copy of list to be evidence.

Ibid., s. 52.

68. ANY copy purporting to be a copy of the said electoral lists or rolls for any municipality, and signed by the mayor or town clerk, shall be *prima facie* evidence of such list and of the contents thereof.

Omission to publish, etc., not to invalidate proceedings.

Ibid., s. 53.

69. NO omission to affix copies of any such lists or rolls as aforesaid, or to keep any list or roll for perusal or inspection, shall be deemed to prevent, invalidate, or render imperfect any of the proceedings with regard to the compilation or completion of any such list or roll.

Governor may appoint time for doing anything connected with electoral lists not being done within time prescribed.

Ibid., s. 4'

70. IF from any cause anything connected with the preparation or revision or completion of the electoral lists for a municipality has not been done within the time appointed or limited for that purpose, the Governor may, at the request of the council, by an order to be published in the *Government Gazette*, direct the same to be done, and may appoint the several times and intervals of time,

or

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or the several remaining times and intervals of time, as the case may require, at or within which the acts hereinbefore required to be done in connection with the preparation or revision or completion of such lists shall or may be done, and upon such order being published in the *Government Gazette*, such omission or non-compliance shall be rectified, and such lists shall be validated according to the tenor of such order.

71. WHENEVER any municipality in which such roll of electors shall have been revised and made up as aforesaid shall be so divided as to constitute two municipalities, or shall be divided into wards, or whenever there shall be any re-adjustment of wards in any such municipality, or whenever two or more such municipalities shall be united, the then existing roll or rolls of electors of such municipality or municipalities shall, by the town clerk or town clerks thereof, be divided into separate rolls of electors for such municipalities or wards, or made up into new rolls for such re-adjusted wards or into a roll or rolls for such united municipality, as the case may require: Provided, that in every such re-arrangement of the roll or rolls of municipal electors there shall be no other change than such changes in numbering or such transpositions of the names of electors from one municipality to another, or from one ward to another, as the circumstances of the case may require; and every roll which shall have been so re-arranged as aforesaid shall, by the mayor of the municipality to which it shall appertain, be examined and compared with the original roll or rolls so revised and made up as aforesaid, and the mayor shall at the foot or end of such re-arranged roll of electors cause a certificate to be written to the effect that he has examined the same and that it is correct, and shall date and sign such certificate; and such roll so re-arranged and certified as aforesaid shall be the roll of electors for the municipality or ward as the case may be, and shall continue in force until a new roll shall have been made for such municipality or ward under the provisions of this Act; and any copy purporting to be a copy of such roll so re-arranged and certified as aforesaid and signed by the mayor shall be evidence of such roll and of the contents thereof.

Re-arrangement of roll on division of municipalities.

See Local Government Act (Vic.) s. 87.

72. IN the case of any newly proclaimed municipality where there is no council, the acts and things by this Act required to be done in and about the preparation, settling, and revision of the said electoral lists shall be done by such person or persons at such time or times and at such place or places as the Governor may appoint in that behalf; and the Governor may also appoint and fix the date on or before which applications and objections, under section fifty-seven of this Act, may be lodged in respect of such lists, and may substitute for the dates respectively mentioned in sub-section (1) of section fifty-two such other dates as he may think fit to embrace the

Where no council Governor may appoint person to settle and revise lists, and fix dates, etc.

59 Vict., No. 10, s. 40.

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the same periods of time as therein respectively specified, and in the preparation of the said lists sub-section (2) of section fifty-two shall not apply. The person or persons to be appointed under this section for the purposes aforesaid shall perform and do all such matters and things as are by this part of this Act required to be performed and done, or which may be done, by the mayor or the council, and such person or persons shall have and exercise all the powers of valuers under this Act, and all the powers and functions of a Revision Court and of the chairman of such Court; and such lists or rolls shall be the ward electoral list or roll and the municipal electoral list or roll respectively, for the first elections respectively to be held in such municipality, and shall continue in force, and shall not be added to or otherwise altered until new lists have respectively been made for such municipality under the provisions of this Act.

Expenses of compiling lists, etc.

Local Government Act (Vic.), s. 95.

73. THE council shall take an account of the reasonable expenses incurred by the town clerk, or by any person appointed by the council to discharge the like functions, in carrying into effect for such municipality the provisions of this part of this Act, and shall order the same to be paid out of the municipal fund; and the amount received by such town clerk or person for copies of any lists or rolls hereinbefore mentioned shall be paid to the municipal fund.

*Division 4.—Election of Council.**(1.) TIME OF HOLDING ELECTIONS.*

First election of councillors.

See 59 Vict., No. 10, s. 57.

74. A FIRST election of mayor, councillors, and auditors in any newly constituted municipality shall be held on such day, not less than forty days after the constitution thereof, as the Governor may appoint, and all subsequent elections as hereinafter appointed.

Annual election.
"Conference minutes."

See 59 Vict., No. 10, s. 57.

75. IN every municipality an annual election of mayor, auditors, and councillors shall be held on the third Wednesday in November in each year, at such place or places within the municipality as the returning officer at such election shall appoint.

Return of councillors at annual election.

76. AT the annual election, except in those cases for which other express provision is made, one-third of the whole number of councillors for the time being assigned to the municipality and the mayor and auditors shall be returned, and, in case of a municipality divided into wards, the councillors shall be returned in equal numbers for every ward.

Election to fill extraordinary vacancy.

59 Vict., No. 10, s. 95.

77. ON the occurrence of any extraordinary vacancy in the council of any municipality, a mayor, councillor, or auditor shall be returned to fill such vacancy on the day appointed hereunder for holding an election to fill the same.

78.

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78. AN election to fill every extraordinary vacancy shall be held on such a day, being not less than twenty and not more than twenty-five clear days after the occurrence of such vacancy, as the mayor, or in case there is no mayor, or the mayor is absent, incapable of acting, or refuses to act, the council may appoint, and, in default of such appointment, on the twenty-first day after the occurrence of such vacancy.

When held.

59 Vict., No. 10,
s. 101.

See *Ibid.*, s. 94.

79. IN case any extraordinary vacancy occurs in the office of councillor in any council within two months before any annual election, and the previous occupant of the seat so become vacant would have gone out of office at such election, or was one of the several persons who might have gone out of office by rotation at such election, such extraordinary vacancy shall not be filled up, and the previous occupant of such seat shall be reckoned one of the councillors going out of office at such election.

Where extraordinary
vacancy not filled.

80. THE mayor for the time being of every municipality shall be *ex officio* a Justice of the Peace for the magisterial district of the municipality from the time when he shall have duly taken the necessary oaths before a Judge of the Supreme Court, Resident Magistrate, or Warden.

Mayor to be Justice
of the Peace.

81. IN case of a municipality which is not divided into wards, the proceedings upon every election shall be taken and had for the whole municipality, and in case of a municipality divided into wards, the like proceedings shall be taken and had for every ward thereof.

Elections in municipi-
palities, divided and
not divided.

82. WHERE under the provisions of this Act a municipality is entitled to elect an additional number of councillors, an election shall thereupon be had, and the like proceedings shall be taken as nearly as may be as at an annual general election of councillors.

Time of election of
additional council-
lors.

Ibid., s. 58.

(2.) WHO SHALL ELECT.

83. AT every municipal election for which no roll is in force, every British subject qualified under this Act to have his name on the Municipal Roll, and liable for the time being to be rated under the provisions hereof, shall be entitled to vote; and every such person shall be entitled to one vote.

Voters, where there
is no roll.

See Loc. Govt. Act
(Vic.), s. 104.

84. AT every municipal election for which a roll is in force, every person whose name is inscribed on such roll shall be entitled to vote, and to the number of votes for which he is enrolled.

Voters, where there
is a roll.

Ibid., s. 105.

(3.)

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(3.) WHO SHALL HOLD ELECTIONS.

Returning officer.

Ibid., s. 106.Appointment of
returning officer in
new municipality.See 59 Vict., No. 10.
s. 59.Appointment of
returning officer.See *ibid.*, s. 59.

85. EVERY municipal election shall be held before some person, hereinafter called the returning officer.

86. AT every first municipal election in a newly-proclaimed municipality the returning officer shall be nominated by the Governor, and at every subsequent election, as hereinafter provided.

87. AT every election, save as aforesaid, the returning officer shall be the mayor or any councillor of the municipality appointed by the council for that purpose. Such appointment shall be notified by affixing a written notice to that effect to the outer door of the municipal chamber or other accustomed place of meeting for the council at least eight days before the day fixed for such election, and keeping the same there affixed until the day of such election; but no omission to so publish the said notice shall be deemed to invalidate any such appointment. Whenever any returning officer has been appointed, the mayor or town clerk shall deliver to such officer all notices and deposits, as hereinafter provided, which he has received from candidates for election, and also the electoral lists for the municipality and the various wards thereof.

Returning officer not
to be a candidate.See *ibid.*, s. 59.

88. NO person who acts as returning officer at any election shall be or become a candidate for office at such election.

(4.) NOMINATION OF CANDIDATES.

Nomination—how
made.See *ibid.*, s. 60.

Sixth Schedule.

89. SEVEN clear days before any election under this Act any person who is qualified and desirous of being a candidate for the office of mayor, councillor, or auditor shall, at or before four o'clock in the afternoon, cause to be delivered to the returning officer or town clerk at the council chambers a nomination paper in the form of the Sixth Schedule or to the like effect, stating therein the surname and other names of such candidate, together with the other particulars required in and by the said schedule, and such nomination paper shall be signed by not less than two qualified ratepayers, and also by the person named therein as a candidate, in token of his assent thereto, and to act if elected.

Moneys to be
deposited with
returning officer.What persons alone
deemed candidates.

90. AT the time of the delivery to the returning officer or town clerk of any such nomination paper the candidate named therein, or some person for him or on his behalf, shall pay into the hands of the returning officer or town clerk the sum of Five pounds, to be dealt with as hereinafter provided; and no person who has not been so nominated, or by whom or on whose behalf such payment has not been made, shall, within the subsequent provisions of this Part of this Act, be or be deemed to be a candidate at any such election.

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91. ON the day of the nomination the returning officer shall attend at four o'clock in the afternoon at the place fixed for such nomination, and shall read the names of the candidates so nominated, together with the names of their nominators; and, in the event of there being no greater number of candidates than is required to be elected, the returning officer shall declare the said persons to be duly elected; but, in the event of there being more candidates than the number required to be elected, the returning officer shall advertise in some newspaper the names of the candidates, the day of poll and the polling place or places: Provided that it shall be in the power of any candidate so nominated, by notice in writing signed by him addressed to the returning officer, and delivered to such returning officer or town clerk at any time before the expiration of forty-eight hours after the day of nomination to withdraw from such candidature.

Proceedings at nomination.

See *ibid.*, s. 61.

92. THE returning officer may appoint one or more deputy returning officers and such poll-clerks as are required for taking the poll, and may make and enforce all necessary regulations, and fix the polling place or polling places, and provide proper and convenient rooms or booths for polling.

Returning officer may appoint a deputy, etc.

Ibid., s. 63, with addition.

93. (1.) EXCEPT as hereinafter provided, the voting at any such election shall be by ballot, and within the place or places appointed for holding such election there shall be provided and set apart a separate ballot room or compartment into which no person may enter except electors who may remain while preparing their ballot papers as hereinafter provided, but no longer; and the returning officer shall cause pencils, or pens, ink, and blotting paper to be placed in the said room or compartment.

Voting to be by ballot.

Ibid., s. 65.

(2.) Every person, otherwise than as aforesaid, entering or remaining in the said ballot room or compartment shall be guilty of an offence against this Act and be liable to a penalty of not less than Fifty pounds nor more than One hundred pounds.

94. (1.) BEFORE, and in time for every such election, the returning officer shall cause to be printed a sufficient number of ballot papers according to the respective forms prescribed in the Seventh Schedule, and each such ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face, and shall be initialled by such returning officer at the back thereof:

Ballot papers.

Ibid., s. 66.

Provided always, that the initials of such returning officer may be lithographed or stamped by or under his authority.

(2.) And at the same time the returning officer shall also cause a sufficient number of papers, called "voting papers," for the purpose

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purpose of voting in absence, as hereinafter mentioned, to be printed, and such voting papers shall be in accordance with the forms prescribed in the Eighth Schedule.

Returning officer or deputy to preside at each polling place.
Loc. Govt. Act (Vic.) s. 120.

95. THE returning officer shall preside at the polling place for taking the poll.

Scrutineers.
See *Ibid.*, s. 122.
59 Vict., No. 10, s. 64.

96. EACH candidate shall be entitled to appoint in writing one scrutineer to be present in each polling place during the election.

Declaration of office.

97. EVERY returning officer shall before acting make and subscribe before a Justice of the Peace, or in the case of a poll clerk or scrutineer, before the returning officer of the election then pending, a declaration in the form prescribed in the Ninth Schedule.

Ninth Schedule.

Powers of returning officer, etc.

Loc. Govt. Act (Vic.) s. 123.

See 59 Vict., No. 10, s. 74.

98. EVERY returning officer shall have power to maintain and enforce order and keep the peace at any election or polling held by him, and, without any other warrant than this Act, to cause to be arrested and taken before a Justice any person reasonably suspected of knowingly making a false answer to any of the questions hereinafter mentioned, or of personating or attempting to personate any voter, or of attempting to vote more than once at the same election, or leaving or attempting to leave the polling place after having received a ballot paper, and before having deposited the same in the box as hereinafter provided, or causing a disturbance at any election, and to cause any person to be removed who obstructs the approaches to any polling place, or conducts himself in a disorderly manner, or misconducts himself, or fails to obey the orders of the returning officer; and any person so removed shall not again be allowed to enter the polling place during the time such election is being held without the permission of the returning officer; and all constables shall aid and assist such returning officer in the performance of his duty.

Ballot-box to be provided.

Ibid., s. 67.

99. THE returning officer shall provide a separate ballot box for the election of mayor, for the election of auditor or auditors, and for each ward for the election of a councillor or councillors, and on the top of each such ballot box there shall be an opening sufficient to receive the ballot papers and voting papers, folded as hereinafter mentioned; and such boxes, being previously locked by the returning officer with a key or keys (which shall be kept by himself and of which no other person shall have a counterpart or counterparts) shall be placed on a table before the returning officer.

Manner of taking poll.

Ibid., s. 62.

100. THE poll at any election shall be taken by the returning officer and shall commence at eleven o'clock in the forenoon and close

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close at seven o'clock in the afternoon of the same day. Every person entitled to vote at the election of a councillor or councillors may at such election give as many votes as he is entitled to, to each of any number of persons not exceeding the number of persons to be elected. Every person entitled to vote at the election of a mayor or auditors, or an auditor, may, at the election of a mayor, give as many votes as he is entitled to to any one candidate, and, at the election of auditors or an auditor may give as many votes as he is entitled to to each of as many candidates as there are vacancies to be filled up.

101. (1.) EXCEPT as hereinafter mentioned, every person who is qualified and entitled to vote, and is desirous of voting at any such election, shall present himself to the returning officer, and shall state his name and address, and if such returning officer finds that the name of such person is on the electoral rolls, he may ask such person the questions hereinafter mentioned, and if such questions are answered satisfactorily, or if such questions are dispensed with, the returning officer or poll clerk shall make a mark against the name of such person on the electoral lists or rolls to signify that the ballot paper or ballot papers to which such person is entitled has or have been duly given to him, and deliver to such person so many ballot papers for the election of mayor, or councillor or councillors, or auditor or auditors respectively, as are equal to the number of votes which such person appears by the electoral lists or rolls to be entitled to give at such elections respectively.

Ballot papers to be given to persons applying.

Ibid., s. 68.

(2.) All the ballot papers to which any person is entitled at such election shall be received by him at one and the same time: And no person, having once received any such ballot paper or ballot papers, and voted, shall at the same election receive any other ballot paper or ballot papers, or exercise any further right of voting.

102. EVERY person to whom a ballot paper or ballot papers have been given shall, within the ballot room or compartment, and without leaving the same, strike through the names of all persons named in such ballot paper or ballot papers except the names of each person for whom he intends to vote, and shall then fold up each paper so as to conceal the interior and disclose the initials of the returning officer upon the back thereof, and shall then in the presence of the returning officer, poll clerks, and such scrutineers as are in attendance, deposit such ballot paper or ballot papers in the ballot box: Provided always, that in the case of any person who is afflicted with blindness or defective eyesight, the returning officer shall, in the presence of such scrutineers as are then in attendance, strike through each ballot paper the names of all persons except such as such person declares his intention of voting for.

Manner of voting ballot.

Ibid., s. 69.

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Questions at elections previous to making voters' roll.

103. AT every election of mayor, councillors, and auditors, when there is no voters' roll in force, the returning officer shall put to every person tendering his vote the questions following:—

See *ibid.*, s. 70.

Local Government Act (Vic.), s. 128.

- (1.) What is your name in full; are you a British subject, and are you of the full age of twenty-one?
- (2.) Are you the occupier or owner, and which, of ratable land within this municipality (*or ward, as the case may be*) and liable to be rated for such land under the Municipal Institutions Act, 1900?
- (3.) What is the ratable land in respect of which you claim to vote, and the name and situation thereof?
- (4.) Have you already voted at this present election?

And no other question shall be put to any person tendering his vote, and no person who shall refuse to answer any of such questions, or whose answers to the same shall not show his right to give such vote, shall receive a ballot paper, or ballot papers, or be permitted to vote.

Questions to be put to voter at all other elections.

59 Vict., No. 10, s. 70.

Local Government Act (Vic.), s. 129.

104. AT all elections of mayor, councillors, or auditors, where there is a voters' roll in force, the returning officer may, if he see fit, or, if required so to do by any scrutineer, shall put to any person tendering his vote the questions following:—

- (1.) Are you the person whose name appears as A.B. in the roll now in force for this municipality (*or ward, as the case may be*) being enrolled therein in respect of land described to be situated in (*here specify the street or other place described in the roll*)?
- (2.) Have you already voted at the present election?

And no other question shall be put to any person tendering his vote, and no person who shall refuse to answer any of such questions, or who shall not answer the first of such questions absolutely in the affirmative, and the second of such questions absolutely in the negative, shall receive a ballot paper or ballot papers or be permitted to vote.

Provisions with respect to ballot paper inadvertently spoilt.

59 Vict., No. 10, s. 71.

105. A VOTER at such election who has inadvertently dealt with any ballot paper in such a manner that it cannot conveniently or properly be used as a ballot paper may, on delivering to the returning officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the returning officer, obtain another ballot paper in the place of the ballot paper so delivered up; and the said ballot paper shall be cancelled and destroyed, and a memorandum of such cancellation and destruction indorsed on the counterfoil thereof.

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106. (1.) WHENEVER at any election a person entitled to vote is desirous of voting and is resident in the Colony but more than ten miles distant from the place of such election, it shall be lawful for such person, at any time within one month previous to the date of such election, to go before a Resident or Police Magistrate or Justice of the Peace or postmaster, or some other person duly appointed by the Governor by notice in the *Government Gazette* as a person authorised to take votes at elections, and demand to be allowed to vote for the municipality or ward of municipality for which he is qualified to vote as aforesaid, and the said Resident or Police Magistrate or Justice of the Peace or postmaster or appointee as aforesaid shall then write the name of the municipality or ward of municipality for which such person desires to vote, and also the name and address of such person, and the date on two counterfoils, each of which shall be marked by the same number, and shall, having signed his name on the back of a voting paper, give the same to such elector: and on the face of such voting paper the Resident Magistrate or Police Magistrate or Justice of the Peace or postmaster or appointee as aforesaid, shall write simply the name of the municipality, and if necessary the ward of such municipality for which the voter proposes to vote, and on the back shall be a number corresponding to the number upon the aforesaid counterfoils: and the voter having received the said paper, shall write thereon the name of the candidate or candidates, specifying whether for the office of mayor, councillor or councillors, auditor or auditors for whom he votes, and shall then fold it up, and in the presence of the said Resident or Police Magistrate, Justice of the Peace, postmaster, or appointee as aforesaid, shall then put one of the corresponding counterfoils into a separate envelope, and shall seal up such envelope, and shall write the word "Counterfoil" on both sides thereof, and shall put the voting paper into another envelope and seal it up, and write the word voting paper on both sides thereof, and shall then himself send both envelopes enclosed together in a second envelope, by post or otherwise, to the returning officer.

Voting in absence in certain cases.

See *ibid.*, s. 72.

Conference minutes.

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(2.) The returning officer, on receipt of any such envelopes, shall, without opening them, retain them in his possession until the commencement of the poll, and shall at any convenient time or times, during or immediately after the taking of the poll in the presence of the scrutineers, proceed to open the envelopes containing the counterfoils, and having made a mark on the copy of the electoral roll in use at his polling place, against the name of each person who appears by such counterfoils to have voted, shall keep such counterfoils in the same manner as the counterfoils of the ballot papers used by him at such election. Having thus dealt with the counterfoils, the returning officer shall proceed to open the envelopes containing the voting papers, allowing the scrutineers the opportunity

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(if they desire it) of seeing that the seals of the said envelopes are intact: and as he takes out any voting paper from its envelope, he shall, without opening the same, deposit it in the ballot box.

(3.) Any person who shall have been to a Resident or Police Magistrate, or Justice of the Peace, or postmaster, or appointee as aforesaid, for the purpose of voting under this section, and shall have complied with the provisions of this section, shall be deemed to all intents and purposes to have voted at such election, although the said envelopes or either of them may not have been sent to the returning officer, or although they or either of them have miscarried.

(4.) For all subsequent purposes, the returning officer shall treat any counterfoils and voting papers received in accordance with the provisions of this section in the same way that he is required to treat counterfoils of ballot papers given by himself to voters, and ballot papers received by himself from voters. The voting papers and counterfoils to be used under this section shall be in the form given in the Schedule hereto.

(5.) Any voting paper, in the form prescribed in the Eighth Schedule, shall be and shall be held to be in due and proper form so far as a name of a candidate is concerned, provided the name of a candidate for whom the voter desires to vote be lawfully indicated as aforesaid.

Ascertainment of the
poll.

Ibid., s. 75.

107. (1.) THE returning officer, on the closing of the poll at any election, shall, in the presence of such candidates and scrutineers as are then in attendance, open the ballot boxes and examine the ballot papers and voting papers, and thereby ascertain the result of the election. And in so doing the returning officer may reject as null and void any ballot paper on which is written any matter or thing which is not justified by this Act to be written thereon, or any ballot paper or voting paper by which any voter purports to vote for more candidates than he is entitled to vote for, or to give more votes than he is entitled to give, and any voting paper whereon the name or names of the candidate or candidates, as the case may be, for whom the voter votes is not intelligibly expressed and in a manner to be commonly understood, but no voting paper shall be otherwise rejected for mere want of form, and if any voter entitled to more than one vote omits to specify on his voting paper the number of votes to which he is entitled, such voting paper shall be deemed to have one vote specified thereon; and the returning officer shall indorse on any ballot-paper or voting paper which he rejects, the word "rejected," and the returning officer shall be the sole judge as to whether any ballot paper or voting paper shall be rejected or not: Provided always, that his decision shall be subject to reversal by the Supreme Court.

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(2.) The returning officer, having ascertained the respective results of such poll, shall then and there declare the name or names of the person or persons who have been duly elected to the respective offices for which such election has been held; and in the event of the number of votes being equal for any two or more candidates for such respective offices, such returning officer shall, by his casting vote or votes, decide which of the said candidates shall be elected.

108. THE returning officer shall, after the declaration of the poll, cause all the parcels of ballot and voting papers to be sealed up, indorsed with a description of the contents thereof, and delivered to the town clerk, to be safely kept for six months after such delivery, and such town clerk shall, after the expiration of six months, cause such papers to be destroyed in the presence of three of the councillors.

Disposal of ballot papers.

Ibid., s. 79, slightly altered.

109. THE town clerk shall, after every election for the office of mayor, councillor, or auditor, make a return to the Minister, stating the names of the successful candidate or candidates at such election, and their respective offices, for publication in the *Government Gazette*, and the production of a copy of the *Government Gazette* containing any such notice shall be *prima facie* evidence that the person or persons named therein have been duly elected to fill the respective offices therein mentioned.

Publication of result of elections in *Government Gazette*.

Ibid., s. 76.

110. WHEN the proceedings at any election are interrupted or obstructed by any riot or violence, the returning officer shall not finally close the poll, but shall adjourn the taking of such poll until the day following, and if necessary, shall further adjourn such poll until such interruption or obstruction has ceased, when such returning officer shall again proceed with the taking of such poll.

Adjournment of polling in case of riot.

Ibid., s. 77.

Local Government Act (Vic.), s. 132.

111. IF from any cause not being such as in the last preceding section mentioned, after a poll stands appointed for any election, no such election takes place on the day appointed for the same, the election shall stand adjourned until the same day of the following week, and the returning officer shall give not less than three days' previous notice thereof by advertisement or by placards affixed in public places within the municipality.

Adjournment, when from some cause no election held.

Local Government Act (Vic.), s. 133.

112. NO election shall be deemed to be void in consequence solely of any delay of any of the stages of such election beyond the time appointed, or of any error on the part of the returning officer, which does not affect the result of such election, or of any error, defect, or impediment of a merely formal nature; and the Governor may adopt, or cause to be adopted, such measures as are necessary

Errors of form not to vitiate elections.

Ibid., s. 78.

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sary to remove any obstacle by which the due course of any election is likely to be impeded, and may supply any deficiency that would otherwise affect the same: Provided always, that any measures so adopted shall be forthwith published in the *Government Gazette*.

Failure to elect on day to be deemed in other cases to create extraordinary vacancy.

Local Government Act (Vic.), s. 134.

113. IF at any election of mayor, councillors, or auditors no vacancies or a number of vacancies less than the whole number which should have been filled up at such election are filled up, then the vacancies which are not so filled up shall severally be deemed extraordinary vacancies, and to have occurred on the day appointed for such election, or to which the same may have been or may stand adjourned as before provided: Provided always, that the councillors eventually elected to fill such vacancies shall go out of office as if elected at such election.

Provision on failure to hold election.

Ibid., s. 134.

114. IF on any day appointed for holding an election of mayor, councillor or councillors, auditor or auditors, no election is held, then the vacancies which ought to have been filled up at such election shall severally be deemed to be extraordinary vacancies, and to have occurred on the day appointed for such election, or to which the same may have been or may stand adjourned: Provided always, that the mayor, councillor or councillors, auditor or auditors, eventually elected to fill such vacancies, shall go out of office as if elected at such election.

Election not to be questioned for defect of title.

See 59 Vict., No. 10, s. 78.

Local Government Act (Vic.), s. 136.

115. NO election shall be liable to be questioned by reason of any want or defect of title of any person by or before whom such election shall have taken place, if such person shall have acted at such election, nor by reason of any formal error or defect in any declaration or other instrument, or in any publication made under this Act, or intended so to be, nor by reason of any publication being out of time.

Invalidity of election no plea to action.

116. NO advantage shall be taken of the invalidity of any election in any action or suit by or against the council, but every such action shall be tried as if no such objection existed.

Application of moneys deposited on nomination.

Local Government Act (Vic.), s. 138.

117. THE returning officer shall, where a poll takes place for any election of mayor, councillor or councillors, auditor or auditors, apply the moneys so paid as aforesaid at the time of nomination by any such candidates as shall not at such election have received a number of votes equal at least to one-fifth part of the votes given to the successful candidate, or, if there be more than one vacancy to be filled, to such one of the persons declared elected at such election, as has had the least number of votes thereat, in and towards defraying the necessary expenses incident to such election, whether incurred before

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before or after such payment; and shall after such election repay to each of the candidates who has so received at least such fifth part, whether declared elected or not, or who has been returned without a or who has retired as herein provided, all moneys so paid by or him, and the same may, in default of such payment, be recovered before any two Justices.

9. ALL reasonable expenses of or incident to any election paid by the returning officer, and not covered by the moneys paid by the candidates as hereinbefore provided, shall be repaid by the council out of the municipal fund, and may be recovered before any two Justices.

Payment of expenses of returning officer. Local Government Act (Vict.), s. 139.

10. ANY returning officer, poll clerk, or scrutineer, who is guilty of what candidate or in what manner any voter has voted at any election, shall be liable, upon conviction, to a penalty not exceeding One hundred pounds, nor less than Fifty pounds.

Penalty for returning officer divulging name of candidate for whom any person votes.

59 Vict., No. 10, s. 80.

11. EVERY person who—

a.) Forges or counterfeits, or fraudulently defaces, or fraudulently destroys any ballot paper, or voting paper, or the initials of any returning officer on any ballot paper; or

Offences in respect of voting.

Ibid., s. 81.

b.) Without due authority supplies a ballot paper or voting paper to any person; or

c.) Fraudulently gives to the returning officer for insertion into any ballot box any paper other than the ballot paper or voting paper which he is entitled by law to give for insertion as aforesaid; or

d.) Fraudulently takes out of the ballot room or compartment any ballot paper or voting paper; or

e.) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box, or packet of ballot papers, or voting papers then in use for the purposes of any election; or

f.) Knowingly and fraudulently makes a false answer to any of the questions authorised by this Act to be put by the returning officer to voters, or proxies, or agents; or

g.) Personates, or attempts to personate, any voter at any election, or votes more than once at the same election; or

h.) Records a larger number of votes than he is entitled to at any election; or

(i.)

Pages 211, 212, 64 Vict., No. 8.—Sections 119, 120, subsection (1.) of 121, and sections 122, 123, and 124 repealed by 1 & 2 Edwd. VII., No. 14.

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- (i.) Knowingly and wilfully breaks the seal of or opens any such sealed parcel or bundle as aforesaid without the order of a Judge of the Supreme Court;

shall be guilty of a misdemeanour, and be liable, if he be a returning officer, or poll clerk, or scrutineer, to imprisonment for any term not exceeding two years, with or without hard labour, or to be fined any sum not exceeding Two hundred pounds, and if he is any other person to any term not exceeding six months, with or without hard labour, or to a fine not exceeding Fifty pounds.

(2.) Any attempt to commit an offence under this section shall be punishable in the same manner in which the offence itself is punishable.

(3.) In any information or other prosecutions for an offence in relation to the ballot boxes, ballot papers, voting papers, and other matters and things in use at any election, the property in such papers, boxes, or other matters or things may be stated to be in the returning officer at such election.

Bribery and corrup-
tion.

Ibid., s. 82.

121. (1.) EACH of the following acts shall be deemed and taken to be acts of bribery and corruption on the part of any candidate at any election for the office of mayor, councillor, or auditor, whether such act be committed by such candidate, or by any person authorised to act for him:—

- (a.) Giving money or any article whatsoever to any elector with a view to influence his vote.
- (b.) Making with or giving to any elector any agreement or security for any gift or reward or holding out to any elector any promise or expectation of profit, advancement or enrichment to himself or to any of his family or kindred, friends or dependents in any shape, in order to influence his vote.
- (c.) Making use of any threat to any elector or otherwise intimidating him in any manner with a view to influence his vote.
- (d.) Treating any elector or supplying him with meat, drink, lodging, or horse or carriage hire, or conveyance by steam or otherwise at such election, or whilst engaged in coming to or going from such election at the expense of the candidate.
- (e.) Payment to any elector of any sum of money for acting or joining in any procession during any election.
- (f.) Keeping open or allowing to be kept open at the expense of the candidate, or with the view to influence the vote of any elector, any public house, shop, booth, or tent or place

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place of entertainment, whether liquor or refreshment of any kind be distributed at such place of entertainment or not.

(g.) Giving any dinner, supper, breakfast, or other entertainment at any place whatsoever to any number of electors with a view of influencing their votes.

(2.) And no action or suit shall be maintained by any publican or any owner or keeper of any shop, booth, tent, or other place of entertainment against any candidate or any agent of any candidate for any liquor, food, or refreshment of any kind whatever for man or beast supplied upon the credit of any candidate or agent during the progress of any election, the supply of which in any way contributes to render any candidate guilty of an act of bribery and corruption.

122. EVERY act of bribery and corruption on the part of any candidate for election shall render such candidate incapable of holding the office of mayor, councillor, or auditor for the term of four years from the date of such election.

Bribery and corruption disqualifies candidate.

Ibid., s. 83.

123. ANY person committing any act of bribery and corruption, whether such person is a candidate or not at such election, and whether such act be committed by himself or by any other person employed by him for that purpose, shall be guilty of a misdemeanour, and be punishable, upon conviction, by a fine not exceeding Two hundred pounds, or imprisonment not exceeding six months.

Punishment for bribery and corruption.

Ibid., s. 84.

124. EVERY person who, having or claiming any right to vote at any election for the office of mayor, councillor, or auditor, asks or takes any money or other reward by way of gift, loan, or other benefit, or agrees or contracts for any money, gift, office, employment, or other reward, to give, or to forbear to give his vote at any election; and every person who, by himself or by any other person employed by him, by any gift or reward, or by any promise of or any agreement or security for any gift or reward, corrupts or procures, or offers to corrupt or procure, any other person to give or to forbear to give his vote at any election, shall for every offence be liable to a penalty of Fifty pounds, to be paid with full cost of suit to the person first suing for the same by action of debt in a summary way before two Justices.

Penalty for receiving or offering reward as to vote.

Ibid., s. 85.

125. NO salaried officer of a municipality shall canvass at any election of mayor, councillor, or auditor; and any salaried officer who canvasses at any such election shall be guilty of an offence against this Act, and be liable to a fine not exceeding Fifty pounds for every such offence.

Canvassing by salaried officer of municipality.

Ibid., s. 87.

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PART III.—OFFICERS OF THE MUNICIPALITY.

Division 1.—Officers appointed by the Council.

Appointment and remuneration of officers.

Ibid., s. 13.

126. THE council shall appoint, from time to time, a treasurer and such other officers and servants as are necessary, and define their duties; and may assign remuneration to such officers and servants; and may remove them and appoint others in their stead; and may require the treasurer and any other officer to give security, or a bond with two sureties for a reasonable sum, to be respectively approved by the council, for the discharge of his or their duties.

Removal of officers.

127. EVERY officer of any municipality so removed, who shall be in possession of, or accountable for any moneys, goods, valuables, account books, accounts, or papers belonging to, or concerning such municipality, shall deliver up and account for the same to the council immediately upon such removal.

Collector of rates to pay over moneys and make returns.

See Local Government Act (Vic.), s. 147.

128. EVERY officer appointed or employed by the council to collect any rates or other moneys shall, after he has received any moneys on account of the municipality, pay over the same to the treasurer, or other person acting in such capacity, to the account of the municipality, and shall obtain from the treasurer or such other person as aforesaid a receipt, which the treasurer or such other person as aforesaid is hereby required to give for such moneys, which shall be a discharge to the officer, and every such payment shall include all moneys received by the officer on account of the municipality up to the day of making it; and when payment is made to such officer in cheques, he shall hand over to the treasurer, or such other person as aforesaid, the actual cheques received by him; and when payments are made to such officer in coin or bank notes, he shall hand over to the treasurer, or such other person as aforesaid, in coin or bank notes, the amount received by him, after deducting the sums paid away by him in giving change, but without any other deduction.

Collectors to make returns to the council.

See *ibid.*, s. 147.

129. EVERY officer shall, within such time and in such manner as the council shall direct, deliver to them true and perfect accounts, in writing under his hand, of all moneys paid by him to the treasurer or such other person as aforesaid on account of the municipality, and also a list of the names of all persons who have neglected or refused to pay any rate or money owing by them, with a statement of the moneys due by them respectively, and in respect of what several periods rates and accounts the same are due respectively; and every officer or treasurer, or such other person as aforesaid

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aforesaid, failing to perform any act which he is required to perform by this section, shall, for every offence, be liable to a penalty not exceeding Ten pounds.

130. EVERY officer appointed or employed by the council shall from time to time, when required by the council, make out and deliver to them, or to any person appointed by them for that purpose, a true and perfect account, in writing under his hand, of all moneys received by him on behalf of the municipality, and such account shall state how, and to whom, and for what purpose such moneys have been disposed of, and together with such accounts, such officer shall deliver the vouchers and receipts for such payments; and every such officer shall pay to the council, or to any person appointed by them to receive the same, all moneys which appear to be owing from him upon the balance of such accounts.

Officers to deliver accounts, etc.

Local Government Act (Vic.), s. 148.

131. IF any officer fail to render such account, or to produce and deliver up the vouchers and receipts relating to the same in his possession or power, or to pay the balance thereof when thereunto required, or if, for five days after thereunto required, any officer of the council fail to deliver up to the council, or to any person appointed by them to receive the same, all papers and writings, property, matters, and things in his possession or power relating to the execution of this Act or belonging to the council, any two Justices may hear and determine the matter in a summary way, and may order such officer to render such accounts or to deliver up such voucher or receipts as aforesaid, or to pay over the balance owing by him, or to deliver up all such papers, writings, property, matters, and things; and if such officer neglect, or refuse to obey such order, he may, by any two Justices, be committed to gaol for any period not exceeding six months.

Officers failing to render accounts or to pay balance, etc.

Ibid., s. 149.

132. ALL proceedings against or dealings with any officer, as are mentioned in this Part of this Act, may be had and taken and enforced against such officer after he has ceased to hold such office; and no proceeding against or dealing with any officer shall deprive the council of any remedy which they might otherwise have against any surety of such officer.

Proceedings against officers after removal.

Ibid., s. 150.

133. ON the resignation of any officer or servant, or on the cessation or abolition of the office of any officer or servant, the council may, in its discretion, cause to be paid to such officer or servant any gratuity not exceeding the amount of one month's salary for each year of the service of such officer or servant, or in case of death to the personal representative of such officer or servant, for the benefit of his wife or next of kin.

Remuneration on resignation or abolition of office.

59 Vict., No. 10, s. 16

See Local Government Act (Vic.), s. 144.

Division

*Municipalities.**Division 2.—Auditors.*

Auditors to be elected.

59 Vict., No. 10, s. 14 with addition.

134. TWO auditors shall be elected annually for every municipality. The Governor may at any time remove any auditor elected for a municipality on the petition of the council thereof: Provided that, notwithstanding anything in this Act, the Governor may appoint, from time to time, any person or persons as inspector of accounts, who shall, during the hours from 9 a.m. to 4 p.m., or such other hours as the Governor may appoint, be entitled to inspect and examine any book or books, accounts, or documents.

Mode of election.

See Local Government Act (Vic.), s. 160.

135. NOTWITHSTANDING the division into wards of any municipality, auditors shall be elected for the whole municipality, and an election for auditor or auditors shall be conducted in the same manner as an election of mayor.

Time and place of election.

Ibid., s. 161.

136. THE annual election of auditors shall take place at the same time, and at the same polling place or places as the annual election of mayor.

Extraordinary vacancy in the office of auditor.

Ibid., 162.

137. ON any vacancy occurring in the office of any auditor elected for any municipality by death, removal, or resignation, the like proceedings shall be taken to fill such vacancy as upon an extraordinary vacancy in the office of mayor.

Payment of auditors.

See 59 Vict., No. 10, s. 15.

138. THE auditors for every municipality shall be paid out of the municipal funds such remuneration as the council may from time to time appoint.

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PART IV.—OUSTER FROM OFFICE.

Power to the Supreme Court to oust from office.

Ibid., s. 165.

139. IF any person be declared elected to be, or hold or exercise the office of mayor, councillor, or auditor of any municipality unduly, or contrary to the provisions of this Act, or being incapable under the provisions hereof of being or continuing such mayor, councillor, or auditor, the Supreme Court may oust such person of such office: Provided that no person shall be ousted under the powers herein contained as having been elected unduly or contrary to this Act, unless proceedings be taken for that purpose before the expiration of two months from the declaration of such election.

Procedure for the foregoing purpose.

Ibid., s. 166.

Disputed elections, etc.

140. SUBJECT to any rules of the Supreme Court for the time being in force in that behalf, any such person, as in the last preceding section mentioned, may be ousted of any such office in manner hereinafter appearing, that is to say:—Upon affidavit of the facts, and upon payment into Court of the sum of Twenty pounds as security for costs to abide the event of such application, it shall be lawful for the Supreme Court or any Judge thereof to grant a rule or

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or order calling upon such person to show cause to the Court why he should not be by the said Court ousted of the said office; and whereupon, on the return of such rule or order, it appears to the Court that such person so elected, or holding or exercising such office, was elected unduly or contrary to this Act, or was at the time of his election, or while holding or exercising such office respectively, incapable, under the provisions hereof, of being or continuing such mayor, councillor, or auditor, as the case may be, the Court may make such rule or order absolute, or if the matter do not so appear, may discharge such rule or order, and in either or every such case, with or without the payment of costs to or by either party as to the Court may seem meet; and the person against whom any rule is made absolute as aforesaid shall be deemed thereby to be ousted of such office accordingly.

141. SUBJECT to any rules of the Supreme Court for the time being in force in that behalf, it shall be lawful for the Supreme Court, or any Judge thereof, where any proceeding, whether under this Act or not, with respect to any election as having been made unduly or contrary to this Act, or with respect to the unlawful holding or exercise by any person of the office of mayor, councillor, or auditor hereunder, is depending in such Court, to order from time to time, that an inquiry be held by any fit person to be named by the said Court or Judge in the order, touching any matters of fact which it seems to the said Court or Judge necessary or expedient to ascertain for dealing with the proceedings so depending, and that such person do report to the said Court touching the said matters and the provisions of any Act now or hereafter to be in force relating to evidence, so far as the same apply to powers, rights, or liabilities conferred or imposed, in case of an order for the issue of a commission for the examination of witnesses, except so far as relates to costs and the conditions under which examinations or depositions are to be read in evidence, shall be deemed to apply in case of any order under this section in like manner as if the person ordered to report hereunder had been authorised and required to take examinations under any such commission; and such person shall have power to call upon the town clerk for and to inspect the ballot papers.

Supreme Court may direct an inquiry to be made.

Ibid., s. 167.

PART V.—THE COUNCIL, ETC.

142. (1.) THE council shall hold two meetings of ratepayers within each year, namely, in the months of May and November; that held in the month of November, hereinafter called the annual meeting, shall take place at least one week before the day of the annual election; and also special meetings upon the requisition of at least one-third of the number of councillors, or upon the request in writing of twenty-one ratepayers.

General and special meetings of ratepayers.

59 Vict., No. 10, s. 18, slightly altered.

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(2.) The mayor shall give seven clear days' notice of the day on which such meeting will be held, by publishing notice thereof in some newspaper, and by posting such notice in some conspicuous place or places outside the building in which the council usually assembles for the transaction of business.

Ordinary meetings of council.

Ibid., s. 19.

143. THE council shall hold ordinary meetings for the transaction of general business at the office of the council on such day and hour in each week, or such other time, at least once in each month, as the council shall from time to time appoint.

Decision of questions at meetings of the council.

Local Government Act (Vic.), s. 171.

144. AT all meetings of the council, save where it is otherwise herein provided, all the councillors present shall vote, and the questions there considered shall be decided by open voting and by the majority present; and if there be an equal division of votes upon any question, the mayor or councillor chosen to preside at such meeting shall, in addition to his own vote, have a second or casting vote.

Quorum of council.

See 59 Vict., No. 10, s. 20.

See Local Government Act (Vic.), s. 172.

145. ALL powers vested in the council may be exercised at any meeting holden in pursuance of this Act by any number of councillors present, forming, exclusive of the mayor, or councillor chosen to preside in his absence, not less than one-third of the number of councillors assigned to the municipality; and no business shall be transacted at any meeting of the council unless the said number of councillors be present.

Disqualification to vote.

59 Vict., No. 10, s. 29.

146. NO councillor or member of a committee or sub-committee shall vote or take part in the discussion in or before the council, or a committee or sub-committee upon or concerning any matter in which such councillor or member has directly or indirectly, by himself or his partners, or fellow shareholders, any pecuniary interest; and any councillor or member who knowingly votes or takes part in such discussion shall be guilty of an offence against this Act, and shall, for every such offence, be liable to a penalty not exceeding Fifty pounds.

Adjournment of meetings.

Local Government Act (Vic.), s. 174.

147. THE councillors present at any meeting may from time to time adjourn such meeting; and if at any meeting of the council there be not present within a quarter of an hour after the time appointed for such meeting, the number of councillors hereby authorised to exercise the powers vested in the council, the councillors present, or the major part of them, or any one councillor, if only one be present, or the town clerk, if no councillor be present, may adjourn such meeting to any time not more than seven days from the date of such adjournment.

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148. IF the day for any meeting or adjourned meeting by this Act required to be held for the transaction of any business or act or the last day for any act required to be done falls on a Sunday, Good Friday, Christmas Day, public or gazetted holiday, such meeting shall be held, or act done, on the day next ensuing, or within three days next thereafter; and every person whose term of office would, according to the provisions hereof, have expired on any Sunday, Good Friday, Christmas Day, or holiday shall, during the interval aforesaid, continue in exercise of all the powers and duties of such office.

As to proceedings falling on Sunday, etc.

59 Vict., No. 10, s. 80.

149. WHERE any business other than the ordinary business is required or intended to be transacted, done, or adopted at any ordinary meeting of the council, notice thereof shall be given to each of the councillors; and no extraordinary business shall be transacted at the ordinary meetings unless due notice thereof has been given at a prior meeting, and sent to each councillor.

Notice of extraordinary business.

Local Government Act (Vic.), s. 176.

150. NO resolution at any meeting of the council shall be revoked, rescinded, or altered at any subsequent meeting, unless notice of the intention to propose such revocation, rescission, or alteration be given to each of the councillors seven days at least before holding the meeting, nor unless revocation, rescission, or alteration be determined upon by a majority, consisting of two-thirds of the councillors present at such subsequent meeting, if the number of councillors present at such subsequent meeting be not greater than the number present when such resolution was come to, or by a majority if the number of councillors present at such subsequent meeting be greater than the number present at such former meeting.

Resolutions, how revoked or altered.

Local Government Act (Vic.), s. 177.

151. THE mayor may call a special meeting of the council as often as he thinks proper, and shall call such meeting on receiving a requisition for that purpose, signed by at least one-third of the number of councillors; or, if he refuses or delays to call such meeting after receiving such requisition, the councillors signing such requisition may call such meeting, but in that case at least twenty-four hours' notice shall be given to each councillor, signed by the person or persons calling the meeting, and stating therein the business to be transacted.

Special meetings of council.

59 Vict., No. 10, s. 19.

152. ALL notices of any meeting or adjourned meeting of the council shall be written and shall be delivered, or sent by the post or otherwise, to the place of abode, or to the usual place of business (if any) within the municipality of each of the councillors previous to such meeting; and every such notice shall specify the time of meeting, and in case of a special meeting shall specify the object thereof, and no business shall be transacted at any special meeting except such as is stated in the notice thereof.

Notice of meetings.

Local Government Act (Vic.), s. 180.

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Council may appoint committees.

59 Vict., No. 10, s. 23, with addition.

153. THE council may from time to time appoint a committee or committees of councillors, of which the mayor shall *ex officio* be a member, and may fix the quorum for any such committee, and may delegate to any such committee or committees such of its powers and duties as it thinks fit, and may from time to time make such rules as it thinks fit for the guidance of such committee or committees, and may from time to time remove any members thereof, and appoint in the stead of them or any of them other councillors. A member of any committee may resign, and the resignation shall be complete on the same being handed to the town clerk.

Proceedings need not be approved.

Ibid., s. 24.

154. THE proceedings of such committee or committees shall, unless otherwise ordered by the council, require the approval of the council.

Power of committees to be limited.

Ibid., s. 26.

155. IN no case shall any committee be authorised to borrow any money or to declare any rate; and no expenditure or contract to expend, or pay any sum of money exceeding Twenty pounds made by any committee shall be lawful or valid unless such committee has been authorised to make such expenditure, payment, or contract, or unless if not so authorised such expenditure, payment, or contract is afterwards approved of or ratified by the council.

Meetings, chairman, etc., of committee.

Ibid., ss. 27 and 28.

156. EVERY committee may meet from time to time, and may adjourn from place to place as they may think proper, but no business shall be transacted at any meeting of a committee unless a quorum of members as appointed by the council are present. The mayor shall be *ex officio* chairman of all committees, and, in his absence, every committee shall appoint one of its members chairman, and all questions shall be determined by a majority of the votes of the members present, and in case of an equal division of votes the chairman shall have the casting vote, in addition to his vote as a member of the committee.

Committee may appoint sub-committee.

Ibid., s. 25.

157. A COMMITTEE appointed as aforesaid may appoint a sub-committee of its members to execute and discharge any of the powers and duties of such committee; but the acts of such sub-committee shall be submitted for approval to the committee by which such sub-committee is appointed.

No want of capacity to invalidate, etc., of any person to be councillor or mayor.

See *ibid.*, s. 32.
Local Government Act (Vic.) s. 185.

158. ALL proceedings of the council or of a committee of the council shall, notwithstanding it may be afterwards discovered that there was some error or defect in the election or appointment of the mayor or councillor, or that they or any of them were incapable of being mayor or councillor, be as valid as if every such person had been duly elected and appointed, and was capable of being a mayor or councillor.

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159. NOTWITHSTANDING any vacancies in the office of mayor or councillor, the business of the council may be carried on by the members actually in office, who shall have all the powers of the council.

Business of council may be carried on notwithstanding vacancy.

59 Vict., No. 10, s. 21.

160. IF, in consequence of death, absence, or any lawful impediment, it is not possible or is inconvenient for any councillor, or the town clerk, or any other person to perform any particular matter or thing which by this Act he is directed to perform, the mayor may appoint any other person to perform the same; and if, by reason of death, absence, or any lawful impediment, the mayor is prevented from performing any matter or thing which he is by this Act required to perform, the council may either perform the same or, by a majority of its votes, appoint some other person to perform it.

In cases of inability of office-bearer to perform duties, mayor or council may appoint other person to do so.

Ibid., s. 22.

161. THE council may from time to time provide and maintain fit and convenient public offices within the municipality, together with all necessary and proper furniture for the same, for holding the meetings and transacting the business of the council, and for the use of the municipal officers, and for holding of such public meetings and transacting such public business relating to the municipality as the council may from time to time direct or allow to be held or transacted therein; and for such purposes may purchase, lease, or rent any lands or buildings which the council may think necessary from any person willing to sell or let the same, or may alter, remove, or enlarge any building, or may cause any new buildings to be erected upon any land purchased, leased, or rented under the provisions of this Act, or otherwise belonging to the municipality.

Office, etc., of council.

Local Government Act (Vic.), s. 186.

162. THE council shall keep a book to be called the minute-book, in which shall be entered minutes of all proceedings and transactions, and the mayor or councillor chosen to preside shall subscribe the same with his own hand; and the names of the councillors present at every meeting shall be entered in such minutes.

Council to keep minutes of proceedings.

59 Vict., No. 10, s. 33.

163. THE minute-book of the council, containing a statement of the proceedings at meetings thereof and the business transacted at such meetings, shall be evidence of all such proceedings as purport to be authenticated by the signature of the mayor or presiding councillor, without proof of such meetings having been duly convened or held, or of the signature of the mayor or presiding councillor, or of the fact of his having been presiding councillor or of the persons attending such meeting having been members of the council.

Minute-book to be evidence of proceedings.

Ibid., s. 34.

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Copies of and extracts from minute-book to be evidence.
Ibid., s. 35.

164. COPIES of or extracts from any minute-book, certified by the mayor to be true copies of or extracts from such book, shall be received as sufficient evidence in all Courts and before all Justices of the contents of such minute-book, or of so much thereof as any such extract contains.

Mayor to preside.
Ibid., s. 36.

165. THE mayor, if present, shall preside at all meetings of ratepayers and of the council, and in his absence, or if, after being present, he retires, one of the councillors chosen by the councillors present shall preside.

Deeds and instruments, how executed.

166. EVERY deed, conveyance, agreement, or instrument which it may be necessary for any municipality to execute or sign shall have the seal of the municipality affixed thereto, in the presence of and attested by the mayor and the town clerk.

PART VI.—BY-LAWS, REGULATIONS, AND JOINT REGULATIONS.

(1.)—*May be made for what purposes.*

Purposes for which by-laws may be made.
Ibid., s. 99.
See Local Government Act (Vic.), s. 191.

167. SUBJECT to the provisions hereinafter contained, by-laws may be made for any municipality for the purposes mentioned in this Act, and for the purposes following, and the same may from time to time be altered, modified, amended, or repealed:—

Tenth Schedule.

(See Victorian Schedule xiii.)

Local Government Act (Vic.), s. 191.

- (1.) The adoption of any of the provisions of the Tenth Schedule hereto.
- (2.) Carrying out any of the purposes provided for in the Tenth Schedule hereto.
- (3.) Carrying out any of the purposes provided for in any Act or portion of an Act relating to water supply, which the municipality is empowered to adopt by by-law.
- (4.) Conducting public meetings of the ratepayers.
- (5.) Establishing and regulating fairs and public sales, labour marts, and offices.
- (6.) For regulating overhead structures in any buildings abutting on streets, and suppressing nuisances.
- (7.) Restraining noisome and offensive trades, and compelling residents to keep their premises free from offensive or unwholesome matters.
- (8.) Regulating the supply and distribution of water from waterworks under the management of the council.
- (9.) Regulating sewerage and drainage.
- (10.) Regulating lighting with gas, electricity, or otherwise.

Local Government Act (Vic.), s. 191.

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- (11.) Preserving public decency.
- (12.) Providing for the health of the residents in the municipality, and against the spread of contagious and infectious diseases. ||
- (13.) For fixing gratuities payable on the resignation or death of officers, or on the cessation or abolition of their offices to such officers or their relations, and for determining to what (if any) officers or relations of officers the same shall be payable.
- (14.) To prevent the keeping of any place, or the keeping or storage of any animal or thing, in the opinion of the council, offensive, injurious to health, or dangerous within the municipality or any part thereof specified in the by-law, or within a distance of any habitation specified in the by-law. ||
- (15.) For regulating and controlling quarrying and blasting operations.
- (16.) For regulating traffic whether *ejusdem generis* or not with that mentioned in this and any other sections, and processions, and the hours during which and the conditions on which traction and locomotive engines and rollers impelled by steam or electricity may proceed over any roads, and generally maintaining the good rule and government of the municipality.
- (17.) Regulating or prohibiting bathing in any or in any part of any river, creek, stream, sea, or other open public water situated within the limits of or abutting on the boundary of the municipality ;
- Setting apart any place or any portion of any such water for the sole use of either sex ;
- Fixing the hours within which persons may bathe, and requiring persons bathing to wear some convenient clothing ;
- Authorising the erection and use of bathing-houses, sheds, or machines, and providing for such other matters as appear expedient for preserving decency or promoting the convenience of the public in connection with bathing.
- (18.) For the general management of public baths, and the conduct of visitors thereat, and for fixing the sums to be paid for the use thereof ;

Bathing.
59 Vict., 10, s. 99 (1).

Baths.
Ibid. (2).

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For the division of such baths, so as to afford sufficient separate accommodation for the sexes, and private baths for either ;

For the regulation in public baths of hot and cold baths and shower baths, vapour and medical baths, the requisites to be supplied, and the sums to be paid therefor.

Bazaars.*Ibid.* (3).

- (19.) For regulating the licensing, supervision, government, and control of any premises as bazaars or repositories for the sale of horses, cattle, carriages, and vehicles, or any of them ; the amount to be paid for licenses, and the maintenance of cleanliness in the licensed premises.

Chimney-sweeps.*Ibid.* (4).

- (20.) Fixing a tariff of the rates to be paid to chimney-sweeps licensed under this Act.

Contamination of water.*Ibid.* (5).

- (21.) Preventing the contamination of any river, creek, stream, sea, or other public water, place for water, well, or fountain situated within the limits of or abutting on the boundary of any municipality or within the limits of any catchment, water supply, or other area under the control or jurisdiction of the council by any means whatsoever.

Crossings.*Ibid.* (6).

- (22.) Prescribing the width of, and the mode in which, and the materials whereof, crossing places for vehicles and animals from any street to private properties over any footway shall be constructed.

Ibid. (7).

- (23.) For the annual registration of all persons carrying on the trade of cow-keepers, dairymen, or purveyors of milk ;

Dairies.

For securing the cleanliness of milk stores, milk shops, and of milk vessels used for containing milk for sale, and the maintenance of cleanliness in and at every dairy and place used in connection therewith ;

Prescribing precautions to be taken for protecting milk against infection or contamination ;

Prohibiting the adulteration of milk ;

Disorderly places and conduct.*Ibid.* (8).

- (24.) For the suppression and restraint of brothels, disorderly house, houses of ill-fame, and places used for habitual prostitution, of prize fights, dog fights, and cock fights, of gaming tables, and gambling of every description.

For prohibiting any person from keeping or managing, or assisting in the management, of a brothel, house of assignation, or house of ill fame, or place used for habitual prostitution ; or from knowingly permitting any premises, or any part thereof, to be used as a brothel, or house of assignation, or for the purposes of habitual prostitution ; or from letting any premises

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premises or any part thereof, with the knowledge that such premises or some part thereof are or is to be used as a brothel, or for the purposes of habitual prostitution ; or for wilfully continuing as a tenant any person who shall keep any such brothel or house.

- (25.) Regulating the conduct of the election of mayor, councillors, and auditors in any matters which are not sufficiently provided for by this Act. Elections.

- (26.) Prescribing the manner in which any fence or wall is to be erected in any particular portions of the municipality by order of the council, and the description, style, and materials of any such fence or wall. Fencing.

For the prevention, suppression, and speedy extinguishment of fires ; Fires.

Regulating the duties and reward of firemen, and making provision for them and their families in case of death or accident in the discharge of duty ;

For authorising firemen to enter upon premises for the purpose of extinguishing fires ;

For empowering members of Fire Brigades to call assistance for the suppression or extinguishment of fires.

For the management of fire-plugs, alarm-bells, and fire-engines ;

For securing a prompt supply of water in cases of fire ;

Preventing the stacking, and regulating the storage and keeping of any hay, straw, bark, thatch, reeds, coal, or firewood ;

For the proper construction of buildings and premises wherein hay, straw, timber, or thatch may be sold or stored ;

Preventing the erection within the limits of the municipality, of any tent, pavilion, shed, or other structure of calico, canvas, or other inflammable material, without obtaining the consent thereto of the council, for such time and on such terms as the council may decide ;

Prescribing the kind and quantity of any inflammable or combustible materials or substances to be kept at any one time in one place ;

Preventing

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- Preventing the placing, stacking, or storing of empty cases, paper, shavings, crates packed with straw, or any dangerous or inflammable substances in the open air.
- Goats, etc. (27.) Prescribing and regulating the manner and mode of keeping dogs and pigeons and of keeping and depasturing goats, and also driving of goats to pasture through or over any streets.
Ibid. (12).
- Hawking licenses. (28.) For regulating the hawking of fruit, fish, meat, poultry, game, or vegetables, or any articles of merchandise.
Ibid. (13).
- Horses. (29.) To restrict the breaking in of horses in the streets, either by leading, riding, or driving, and also the driving of cattle along the streets;
Ibid. (14).
- Preventing entire horses being led or exhibited through or in the streets or public places at inexpedient hours;
 Preventing mares being covered, except in yards, buildings, or premises sufficiently enclosed or screened from public view.
- Loans. (30.) Regulating the taking of the votes of the electors for the municipality upon any proposal to borrow money, as hereinafter stated.
Ibid. (15).
- Markets. (31.) For the general regulation of all markets, fairs, and public sales for cattle, horses, sheep, and other live stock, wares, merchandise, and provisions, the tolls, dues, and fees to be received thereat, and the maintenance of good order therein;
Ibid. (16).
 Prohibiting every kind of fraudulent device and practice in relation to the sale of marketable commodities.
- New. For granting and regulating the licensing of weigh-bridges in public places.
- Notices. (32.) Regulating the publication of notices.
Ibid. (17).
- Officers. (33.) Defining the functions and regulating and enforcing the due performance of the duties of officers and servants appointed by the council;
Ibid. (18).
 For the punishment of persons falsely representing themselves to be officers of the corporation.
- Park lands and reserves. (34.) For the management and conservation of the park lands and public reserves;
 See *ibid.* (19).
 For the appointment and guidance of keepers or servants employed therein;
 Prescribing

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Prescribing the time at which any such park lands and public reserves shall be opened and closed ;

For the conduct of persons frequenting any such park lands and public reserves ;

Prescribing the days on and the bounds or limits within which games and gymnastics may be permitted on any park lands and public reserves, and otherwise regulating or prohibiting any games and gymnastics ;

Preventing or regulating the admission of vehicles, horses, camels, asses, mules, and cattle to any park lands and public reserves ;

Regulating shooting over, on, or in any park lands and public reserves ;

Regulating matches and preventing the training for racing with horses, dogs, or otherwise upon any park lands and public reserves ;

Enabling municipal servants, police constables, or special constables to remove persons who are guilty of any breach of any by-law made by the municipality from any park lands and public reserves ;

Regulating or preventing the selling or exposing for sale goods, wares, or merchandise on the park lands, public reserves, or places ;

Prohibiting damage or injury to and destruction of trees, shrubs, and plants in the park lands, public places, public reserves, and plantations ;

Prescribing the fees to be charged the public for admission to any of the park lands and public reserves, and the occasions when such fees shall be payable, and prohibiting admission therein on such occasions.

- (35.) Regulating the licensing, cancellation, or suspension of licenses of drivers, conductors, and owners of passenger vehicles, motor-cars, tram-cars, wagons, drays, carts, or other vehicles, and generally for regulating all traffic for the carrying of goods and merchandise, by vehicles plying, used, kept, or let for hire within the municipality ; and prescribing a limit to the number of licenses to be granted, and for registering the names of the owners, drivers, and conductors of all passenger and other vehicles ; and regulating the licensing, driving, and

Passenger and other vehicles plying for hire.

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and cancellation, or suspension of licenses of passenger vehicles used for the conveyance of goods or merchandise for hire ;

For the distinction of vehicles, motor-cars, and tram-cars in respect of fares to be taken ;

Fixing the rates and fares to be taken, and the mode of computation, of time, or of distances ;

Appointing stands for all or any of the above-named vehicles, and prescribing the regulations to be observed thereat ;

Enforcing the obligation of owners and drivers to convey passengers on demand ; and the obligation of owners and drivers of vehicles licensed for the conveyance of goods and merchandise for hire to carry merchandise and goods on demand.

Limiting the number of passengers (inside and outside), their baggage and goods, and regulating fares for children, and as to taking up and setting down passengers ;

For the maintenance of passenger or other vehicles, public motor-cars, and tram-cars in proper condition and order, and regulating how the same shall be furnished, provided, and kept ;

Providing for the delivery over and disposal of articles left in passenger vehicles, and public motor-cars, and tram-cars ;

Compelling the licensed driver or conductor to be in charge of such passenger vehicle, motor-car, or tram-car, and preventing the same from being driven by others, and preventing persons not hiring the same from riding with the driver or conductor ;

For the prevention of smoking in any passenger vehicle, motor-car, or tram-car, or by the driver or conductor thereof ;

Prohibiting coffins, containing the corpse of any deceased person above the age of two years, or any person who dies of an infectious disease, from being conveyed in any passenger vehicle ;

For the punishment for misconduct of the drivers and conductors, and persons attending any of the aforesaid vehicles, in carelessly or furiously driving or racing, or in demanding or receiving more than the legal fare, or in using any threatening, abusive, indecent,

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indecent, or insulting language; and also for punishing persons hiring such vehicles or riding thereon and evading, or attempting to evade, the payment of fares;

Regulating the routes to be observed by the licensed drivers of omnibuses or passenger vehicles plying as omnibuses;

Requiring and regulating the carrying of a lighted lamp or lamps by all vehicles, motor-cars, and tram-cars after sunset, and inside passenger vehicles, motor-cars, and tram-cars after sunset;

Preventing licensed drivers or others loitering with vehicles in the streets, or plying for hire in the streets, except on a stand;

Preventing any person not being of the full age of seventeen years acting as driver, and any person not of the full age of fifteen years acting as conductor of any vehicle;

Preventing licensed drivers from being or standing away from the vehicle and horses in their charge whilst on the stand, or regulating the distance at which such drivers may be allowed to be away from their vehicles whilst on the stand;

Enforcing the notification inside passenger vehicles of the rate of fares for time or distance;

Preventing what is called the nursing or shepherding of passenger vehicles by other passenger vehicles, and preventing the owner or driver of one passenger vehicle from preceding or following another passenger vehicle;

Preventing persons standing on the footways or roadways of any town or city and touting for passengers for any vehicles driven by licensed drivers;

For the regulating and punishment of any driver or rider of horses or other animals who leaves them in any street or other public place unattended or insecurely fastened;

Regulating the use and management of hand-carts in the streets, and the conduct of persons in charge thereof.

(36.) Regulating its own proceedings.

(37.) *Proceedings.*
Ibid. (21).

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Public property.

Ibid. (22).

- (37.) For the general control, management, and preservation of the public reserves and commons, and of any public library, museum, botanical garden, or other place of recreation, the control or management of which is vested in the council ;

Regulating the conduct of persons using such public reserves and commons ;

Regulating the cutting, collecting, or removing of timber, firewood, stone, or other material from or on any public reserves or commons.

For the use and management of all public bridges, jetties, piers, wharves, or landing places which have been handed over by the Governor to the care and management of a council: Provided always, that until any by-laws have been made in pursuance of this sub-section, any regulations made by the Governor shall apply to any such public bridge, jetty, pier, wharf, or landing place as aforesaid.

Rates.

Ibid., (23).

- (38.) As to the times and modes of collecting and enforcing payment of the rates, either in arrear or current ; and also of any licenses payable under this or any other Act.

Scavengers.

Ibid. (24).

- (39.) Regulating the time and mode of the removal of the contents of any drain, water-closet, earth-closet, privy, cesspool, ashpit, or other place, or of any noxious or offensive matter by nightmen or scavengers, licensed under the provisions of this Act, or by other persons ; and prescribing the vehicles by which such removal is to be effected, and the fees to be paid to the nightmen and scavengers so licensed as aforesaid.

Signboards.

Ibid. (25).

- (40.) Prohibiting and regulating the erection, putting up, and situation of signboards or other signs, or awnings or blinds, or overhanging lamps, or other things over or near any footway or roadway.

Slaughter-houses.

Ibid. (26).

- (41.) For the regulation of slaughter-houses and the management of the cattle to be slaughtered thereat, and for defining areas within which no slaughter-house shall be permitted ;

For the prevention of the slaughtering both of great and small cattle, except at slaughter-houses established by the council ;

For destroying infected cattle which, if slaughtered, would be unfit for human food ;

For destroying unwholesome meat ;

For

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For the maintenance of cleanliness in and at every slaughter-house and place used for slaughtering cattle ;

For the management of cattle kept at any slaughter-house on behalf of the owner, prior to their being slaughtered, or without being slaughtered, and the fees to be taken therefor.

- (42.) For the prevention of obstructions of any streets, ways, footways, water channels, and water-courses therein ; *Streets and footways.*
Ibid. (27).

Regulating the paving and repairing of the streets, ways, and footways ;

For cleansing the same ;

Compelling the securing, removing, or filling up of any cellar, ways, or openings which may now or hereafter be in or under any footway ;

Regulating the speed or pace at which persons shall ride or drive or vehicles be driven round the corners or across the intersections of any street or streets, way or ways, or across any bridge, or along any particular part or parts of any municipality ;

Prescribing the removal, at the expense of the owner or occupier, of any verandahs or balconies which obstruct the footway, or street, or way, or are dangerous, and all other obstructions to the footways, streets, or ways, whether the same have before the commencement of this Act been or may hereafter be erected ; *Ibid. (27).*

Requiring and regulating the painting of all lamp-posts, bridle-posts, telegraph, telephone, and electric lighting or tramway poles, and for compelling the removal of any such poles which may be bent, dangerous, unsightly, or not in use ;

Prohibiting or regulating processions in streets or ways ;

Prohibiting or regulating the playing of music in the streets or ways ;

Prohibiting or regulating any advertising through the streets or ways, and the throwing or discharging of handbills or other printed matter therein, or in or upon any private premises ;

Regulating or prohibiting bill posting or painting advertisements ;

Requiring

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Requiring and regulating the lighting of wharves and jetties for the purposes of public safety : Provided that, wherever any wharf or jetty is rated, and subject to a lighting rate, one moiety of the cost of lighting shall be paid out of such rate on such wharf ;

Prohibiting the erection of dangerous fences, or fences with barbed wire, abutting on public places, and regulating and prescribing the materials of which fences abutting on public places shall be erected ;

Regulating the traffic for any purpose in or along all or any of the foot and carriage ways of any street or way ;

Prohibiting the drawing of any wagon, cart, or other carriage not having springs, or the driving of any animal attached thereto at any faster rate, speed, or pace than a common walk ;

Prohibiting any goods or merchandise, coal or firewood from remaining in any street or way for a longer period than necessary for housing or removing the same ;

Regulating the mode and time of the cleansing of footpaths and preventing the shaking of carpets, rugs, or doormats in any street or way ;

Prohibiting animals or vehicles being left in the street, or obstructing any portion of any street or way, and permitting the seizure by the municipal officers or police constables of any such animals or vehicles ;

For the cost of removal and reinstatement and the punishment of any contractor, or other person, who deposits, or causes to be deposited, any rubbish or materials on the surface of any street or way, or who injures or damages any street, way, or footpath, or who excavates or leaves open any excavation without having a sufficient and continuous light burning thereon from sunset to sunrise, and for the cost of the removal of such rubbish or materials and the reinstatement of the street, way, or footpath ;

Regulating or prohibiting the use of motor-cars, bicycles, and other velocipedes or perambulators in or upon the streets, ways, and footways, and requiring and regulating the carrying of a lighted lamp

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lamp after sunset by all motor-cars, bicycles, and other velocipedes, and the carrying and sounding of a bell by the drivers or riders thereof by day and by night ;

Prohibiting unyoked cattle or unbroken horses being driven through the streets or ways within certain hours ; *Ibid.* (27).

For the punishment of persons throwing orange peel, fruit, or other vegetable substances, or any offensive, noxious, or dangerous substance on any footpath of a street or way ;

Preventing the over-crowding of tram and motor-cars ;

Prohibiting any impure water or any liquid matter of whatever description being drained or allowed to flow from any house, land, or premises into or upon any street, way, footway, or gutter, or being thrown or placed thereon or therein.

(43.) Defining areas within which no swine shall be permitted to be kept. *Swine. Ibid.* (28).

(44.) Providing for the coating, with some white paint or whitewash, of buildings and erections composed or roofed wholly or in part with iron, zinc, or tin, and occupied or used as dwellings or workshops or work-rooms or offices. *Structures of iron, zinc or tin. Ibid.* (29).

(45.) Regulating the manner in which leading horses shall be driven and yoked upon any street, or way, and to prohibit or regulate the riding or driving of camels through any street or way ; and generally for the regulation and preservation of order of general traffic. *Traffic. Ibid.* (30).

(46.) Regulating movable or temporarily fixed stalls in or near any street or way for the sale of any meat, fruit, vegetables, drink, eatables, or articles of merchandise, and the management thereof, and the conduct of the persons in charge thereof, and the times when, and positions of places in which such stalls shall be allowed to carry on business. *Refreshment stalls. Ibid.* (31).

(47.) For regulating the use of balconies and verandahs now or hereafter erected over any part of a street or way. *Verandahs. Ibid.* (32).

(48.) For prohibiting the use of iron spikes or other projections, broken glass, or barbed wire on any premises abutting upon a street or way. *Spikes, glass, wire, etc. Ibid.* (33).

(49.)

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Notices and plans.

Ibid. (34).

New.

Generally for carrying out the objects of this Act.

Ibid. (35).

- (49.) Regulating the mode and manner of giving, and the information to be contained in all notices and plans given under this Act.
- (50.) For regulating the licensing, supervision, government, control, and management of water to be condensed for sale, and for securing the cleanliness of any plant and buildings connected therewith, and all places used in connection with the same, and for prescribing the precautions to be taken against the infection and contamination of the water, and the limits within which the business of a condenser of water shall be carried on.
- (51.) Enabling any contractor for the removal of nightsoil or other refuse, to collect fees.
- (52.) Enforcing the obligation of hawkers and traders to carry scales.
- (53.) For more effectually regulating, observing, and carrying out all and every the powers and authorities by this Act given to municipalities; and for insuring the good rule and government of the municipality, and the convenience, comfort, and safety of the inhabitants thereof, and for the prevention and suppression of nuisances therein.

Any such by-laws may be limited in their application to any portion of the municipality, or to any catchment, water supply, or other area under the control or jurisdiction of the council as local board of health or otherwise.

When regulations and joint regulations may be made.

Local Government Act (Vic.), s. 192. Tenth Schedule.

168. REGULATIONS and joint regulations may be made for any municipality or municipalities in which any provision of the Tenth Schedule hereto is in force, authorising the making of such regulations or joint regulations, and for the purposes prescribed by such provision.

Council may grant licenses for certain purposes.

59 Vict., No. 10, s. 105.

169. THE council may, subject to such conditions as it deems fit, grant licenses to persons for any of the following purposes, within a municipality:—

- (a.) For the erection and use of bathing-houses, sheds, or machines;
- (b.) For carrying on the trade of cow-keepers, dairymen, or purveyors of milk;
- (c.) For keeping and depasturing goats and keeping of pigeons;
- (d.)

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- (d.) For the hawking of fruit, fish, and vegetables, or any article of merchandise ;
- (e.) For movable or temporarily fixed stalls in or near any street for the sale of meat, fruit, vegetables, drink, eatables, or articles of merchandise ;
- (f.) For the driving and keeping of passenger vehicles, tram and motor cars, wagons, drays, carts, or other vehicles for the carrying of goods and merchandise ;
- (g.) For the removal of the contents of any drain, water-closet, earth-closet, privy, cesspool, ashpit, or other place used for a similar purpose, or of any noxious or offensive matter ;
- (h.) For the erection or use of slaughter-houses ;
- (i.) For carrying on the trade or calling of a chimney-sweep ;
- (j.) For driving and depasturing horses, sheep, cattle, pigs, goats, camels, asses, or mules over and upon park lands and public reserves ;
- (k.) For the use and employment of hand-carts in streets or ways ;
- (l.) For keeping and maintaining any suitable premises as a bazaar or repository for the sale therein of horses, cattle, carriages, and other vehicles, or any of them, respectively, as the council may deem proper ;
- (m.) For the appointment of general porters ;
- (n.) For the erection in any public place of one or more machines or engines with a suitable house or building thereto, for the weighing of vehicles conveying any goods or merchandise whatsoever ;
- (o.) For the carrying on the trade or business of a condenser of water ;
- (p.) The council may grant licenses under the Cart and Carriage Licensing Act, 1876, to any cart, as thereby defined, used within the limits of the municipality ; and in addition to any other license or fee now required by law for such cart, may charge a license fee for such cart at a rate not exceeding Ten shillings for any one whole year. And the several provisions contained in the Cart and Carriage Licensing Act, 1876, with respect to carriages, shall be deemed to be applicable to carts licensed under this Act ; but no person residing at least three miles from the nearest limits of a municipality shall be required to take out from any municipality a license

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license for a cart, if such cart be used solely as a means of conveyance into or through the limits of a municipality from and to places beyond such limits.

- (q.) For the posting of bills or painting advertisements upon buildings, fences, verandahs, or any other place abutting upon, or facing into any street or way.
- (r.) For the opening of streets, ways, or footways.
- (s.) For the cutting, collecting, or removing of timber, firewood, stone, or other material from or on public reserves or commons.

And the council may fix the fees for all such licenses, and may prohibit the doing by unlicensed persons of any act or thing for which a license may be granted under the provisions of this section, and any unlicensed person doing such act or thing shall be guilty of an offence against this Act, summarily punishable upon conviction before two Justices of the Peace, and shall be liable to pay any sum not exceeding Twenty pounds for every such offence.

Coming into operation of by-law adopting schedule.

59 Vict., No. 10,
s. 100.

170. ANY by-law adopting any provisions of the Tenth Schedule hereto shall come into operation immediately on the publication thereof in the *Government Gazette*.

(2.)—*Manner of making.*

Making of by-laws, etc.

Loc. Gov. Act (Vic.)
s. 198.

Passing and sealing of by-laws, etc.

Ibid., s. 199.

Passing and sealing of joint regulations.

Ibid., s. 200.

171. BY-LAWS, regulations, and joint regulations may be made for municipalities in the manner hereinafter mentioned.

172. EVERY by-law and regulation shall be passed by the council and sealed with the common seal of the municipality.

173. JOINT regulations shall be passed separately by the council and sealed with the common seal of every municipality concerned in making the same.

Provisions in case of councils whose consent required failing to concur.

Ibid., s. 202.

174. WHEN any provision is adopted by virtue of which the councils of any municipalities are empowered to make any joint regulation, and no joint regulation has been made thereunder, any of such councils may cause to be prepared a draft of a proposed joint regulation, and may submit the same to each of the other councils for their approval; and if within three months after such draft is so submitted all the councils concerned do not agree in passing a joint regulation under such provision, any one or more of such councils may pass and seal such regulation, and the Governor may thereupon, if he thinks fit, after notice to the councils of all the municipalities concerned, confirm such joint regulation with or without alterations, and the joint regulation so confirmed shall have the same force and effect

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effect as if it had been passed by all the councils concerned in making the same, and sealed with the common seals of their respective municipalities.

175. BY-LAWS shall not be inconsistent with or repugnant to any of the provisions of this Act, or to any law in force, and when confirmed by the Governor, and published in the *Government Gazette*, shall have the force of law within the limits of the municipality or any area under the control or jurisdiction of the council, unless restricted to a portion only of such municipality or area; and copies thereof shall be forthwith laid before both Houses of Parliament, if Parliament be then sitting, and if not, then within fourteen days after the next assembling of Parliament.

By-laws to be approved by the Governor in Council and gazetted.

59 Vict., No. 10, s. 100.

176. IN gazetting and advertising the adoption of the Tenth Schedule hereto, or any part of it, as a by-law, it shall be sufficient to set out in the advertisements the headings and parts and clauses of such schedule so adopted as a by-law.

By-laws adopting schedule, how gazetted.

177. IF after the coming into operation in and for any two or more municipalities of any provision authorising the making of joint regulations, any joint regulation has been made thereunder, whether the same is yet in force or not, and if after such making the said provision has come into operation in any other municipality so that the council thereof is under such provision empowered to make, together with the councils of such first-mentioned municipalities, joint regulations for the purposes of such provision, any such joint regulation theretofore made under such provision for the first-mentioned municipalities shall, so far as applicable, be deemed to be a joint regulation of all the councils of all the municipalities in this section referred to to all intents and purposes, as though the same had been made by all, and although not purporting to apply to the municipalities in which such provision shall so lastly have come into operation.

Provision for the accession of other councils where a joint regulation is in force.

Local Government Act (Vic.), s. 205.

178. THE council may from time to time appoint or alter forms of applications, certificates, licenses, registration, registry books, and other books, documents, or instruments mentioned in any part of the Tenth Schedule hereto, and the expression "the appointed form," or any like expression in the said Schedule shall be deemed to apply to a form so appointed.

Forms.

Ibid., s. 206.

(3.)—*How repealed.*

179. EVERY by-law in force in any municipality may be altered or repealed by any subsequent by-law inconsistent therewith, or expressly altering or repealing the same in force in such municipality.

Manner of altering or repealing.

Ibid., part s. 207.

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Repeal of regula-
tions.

Ibid., part s. 207.

180. EVERY regulation in force in any municipality may be altered or repealed by any subsequent regulation inconsistent therewith, or expressly altering or repealing the same in force in such municipality.

Repeal of joint regu-
lations.

Ibid., part s. 207.

181. EVERY joint regulation in force in any municipalities may be altered or repealed by any subsequent joint regulation inconsistent therewith, or expressly altering or repealing the same in force in such municipalities.

Effect of repeal.

Ibid., s. 210.

182. NOTWITHSTANDING the repeal of any by-law or regulation or joint regulation, every offence wholly or partially committed against such by-law or regulation before the repeal thereof shall be heard, determined, and punished, and every act or proceeding done or commenced, and every right, privilege, and protection acquired, and every liability incurred, shall continue, be prosecuted, and be of the same force and effect as if such by-law, regulation, or joint regulation had not been repealed.

Joint regulation
after union.

Ibid., part s. 211.

183. WHEN any joint regulation is in force in any municipalities, and such municipalities are united, such joint regulation shall become the regulation of the municipality formed by such union.

Joint regulation.

Ibid., part s. 211.

184. WHEN any joint regulation is in force in any three or more municipalities, and any number of such municipalities less than the whole are united, such joint regulation shall become the joint regulation of the municipality formed by such union and the remaining municipality or municipalities.

(4.)—In what form.

By-laws, how in-
titled and num-
bered.

Eleventh Schedule.

Ibid., s. 212.

185. ALL by-laws shall be in the form or to the effect in the Eleventh Schedule, and shall be intitled according to the purport thereof and to the part, subdivision, or section of this Act under which they are made, and shall be numbered consecutively and so that no by-law shall bear the number borne by any other by-law of the municipality whether in force or repealed.

Regulations, etc.,
how intitled and
numbered.

Twelfth Schedule.

Ibid., s. 213.

186. ALL regulations and joint regulations made under this Act shall be in the form or to the effect in the Twelfth Schedule, and shall be intitled according to the purport thereof, and according to the part, subdivision, or section of the Tenth Schedule hereto under which they are made, and shall be numbered consecutively, so that no regulation of any municipality and no joint regulation of any municipalities respectively, whether in force or repealed, shall bear the same number as any other such regulation or joint regulation.

187.

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187. EVERY by-law, regulation, and joint regulation shall be intituled as of the municipality or municipalities of which it is such by-law, regulation, or joint regulation.

By-laws, etc., to be intituled as of the municipalities concerned.

Ibid., s. 214.

188. EVERY by-law, regulation, or joint regulation shall contain clauses expressly repealing all by-laws, regulations, and joint regulations and parts thereof, respectively, inconsistent with or repugnant thereto and theretofore in force in the municipality or municipalities; and in such clauses the by-laws, regulations, and joint regulations repealed shall be specified by number and title or otherwise sufficiently indicated, and in case of a part of a by-law, regulation, or joint regulation, in addition to such number, title, or other description of such by-law, regulation, or joint regulation, the purport of such part shall be expressed.

Express repeal of by-laws.

Ibid., s. 215.

189. NO omission to comply with any of the provisions of the four last preceding sections shall render invalid any by-law, regulation, or joint regulation, or shall prevent the repeal thereby by operation of law of any other by-law, regulation, or joint regulation.

By-laws not affected by non-compliance.

Ibid., s. 216.

(5.)—How enforced.

190. SUCH by-laws shall state some maximum penalty for any neglect or breach thereof respectively; provided that no such maximum penalty shall exceed Twenty pounds.

By-laws to be enforced by penalty.

59 Vict., No. 10, s. 101.

See Local Government Act (Vic.), s. 21.

191. ALL offences against any by-law, regulation, or joint regulation in force in any municipality shall be deemed to be offences against this Act.

Offence against by-laws.

Local Government Act (Vic.), s. 218.

192. NO regulation or joint regulation shall impose any penalty.

Regulations.

Ibid., s. 219.

193. NOTHING contained in any by-law, regulation, or joint regulation in force in any municipality shall be construed to exempt any person guilty of a nuisance at common law from prosecution, suit, or action in respect thereof, nor from the consequences of being convicted thereof.

Saving of remedies against nuisances.

Ibid., s. 220.

194. THE *Government Gazette* or a printed copy, purporting to be a copy of any by-law, and purporting to be signed by the mayor, shall, without any other proof, be received as *prima facie* evidence of the existence of such by-law, and of the making, confirming, and publication in the *Government Gazette* thereof, and of the performance of the requirements of this Act or any Act hereby repealed in respect thereof in all Courts.

Certified copies of by-laws to be evidence.

59 Vict., No. 10, s. 104.

(6.)

*Municipalities.**(6.)—Validity, how tested.*

Mode of testing the
validity of by-law.

195. IF any person desire to dispute the validity of any by-law, regulation, or joint regulation made as aforesaid, and pay into the Supreme Court the sum of Twenty pounds as security for the costs of the proceedings hereinafter mentioned, it shall be lawful for such person to apply to the said Court, upon an affidavit of the facts, for a rule calling upon the municipality, or in the case of a joint regulation the municipalities concerned, to show cause why such by-law, regulation, or joint regulation should not be quashed for the illegality thereof; and the said Court may make the said rule absolute, or discharge it with or without costs, as to the Court shall seem meet.

(7.)—Interpretation.

Meaning of "Proper
Officer."
Ibid., s. 225.

196. WHENEVER in any subdivision of the Tenth Schedule hereto the expression "The proper officer of the council," or the like expression is used, the same shall mean such officer or person as has been charged by the council with respect to such subdivision.

Division 2.—Power to treat as to Noxious Trades.

Council may give
compensation for re-
moval of offensive
trades, etc.
Ibid., s. 226.

197. WHEN any profession, occupation, manufacture, trade, calling, or business now or hereafter to be established within any municipality becomes, and is of so offensive a nature as to create, cause, or be a public nuisance, the council may contract and agree with the person or company carrying on such offensive profession, occupation, manufacture, trade, calling, or business not to carry on the same or cause, or so far as lies in the power of such person or company, permit the same to be carried on within such municipality, or within such distance from the boundaries of such municipality as may be agreed upon in such contract, and the Council may give out of the municipal fund to such person or company such reasonable compensation by way of consideration for such contract as may be agreed upon between the contracting parties.

Compensation to be
given only upon
notice, etc.

Ibid., s. 227,
abridged.

198. NO proposition to make such contract and give such compensation as mentioned in the last preceding section shall be considered by the council, unless a notice setting forth the terms of the proposed contract, and the amount of compensation proposed to be given, has been published in some newspaper not less than one month before such proposition is considered, and no resolution to make such contract and to give such compensation shall be adopted by the council save by special meeting, nor unless the resolution is carried by a majority of the council: Provided that nothing in this or the last preceding section contained shall in any way alter or affect

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affect the right of the council to proceed against any such person or company under any law or by-law now or hereafter in force relating to the abatement of nuisances or the punishment of persons guilty of creating or causing nuisances.

Division 3.—Licensing of Dancing Saloons.

199. THE council may, on the application of twenty householders resident in the immediate neighbourhood, for such term, on payment of such sum, and subject to such conditions as the council may direct, license any room or saloon (not on premises licensed under "The Wines, Beer, and Spirit Sale Act of 1880," or any amendment thereof) as a dancing room or saloon where payment may be received or taken for admission thereto.

Dancing rooms may be licensed.
59 Vict., No. 10, s. 106.
Local Government Act (Vic.), s. 228.

200. IF upon inspection or satisfactory evidence it appears to the council that on account of the position or insufficiency of the premises, or the improper character of the applicant or any persons resorting thereto, or from other sufficient cause, or the non-fulfilment of any conditions of the license it is desirable or expedient so to do, the council may refuse to license or may cancel the license of any such room or saloon.

License may be refused or cancelled.
Ibid., s. 107.
Ibid., s. 229.

201. IF any person keep open or maintain any such dancing room or saloon in any house, tent, or edifice, the same not being duly licensed, or if any person take or receive, either directly or indirectly, payment for the admission of any other person thereto, he shall, on conviction thereof before any two Justices of the Peace, forfeit and pay a sum not exceeding Twenty pounds nor less than Five pounds, or be imprisoned for any period not exceeding three months.

Penalty where dancing saloon not licensed.
Ibid., s. 108.
Ibid., s. 230.

PART VII.—LANDS AND PROPERTY OF MUNICIPALITIES OR OF WHICH THEY ARE TRUSTEES.

202. ALL lands, tenements, hereditaments, and premises, and property of every description whatsoever vested in, belonging to, or under the care, control, or management of any council shall be and continue vested in, belonging to, and under the care, control, and management of such council.

Vesting of property.
Local Government Act (Vic.), s. 231.

Any council may, with the consent of the Governor, sell and convey in fee simple, or for any lesser estate, any lands purchased for value or acquired by such municipality from Her Majesty in Council, or any other person, which are not in the opinion of the council

Power to sell.
59 Vict., No. 10, s. 6.

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council required for the purposes of any undertaking for which the same were purchased.

Power to lease for purposes of cricket, etc.

Ibid., s. 116.

203. ANY council may from time to time let or lease any lands granted by the Crown to the municipality or any reserves or commonages, or any part or parts of such lands, to any person for the use of any cricket, athletic, football, lawn tennis, bowling, or other clubs, or to any person for any other purpose for any period or term, at such rent and under and subject to such terms and conditions as the council deems expedient: Provided that no such letting or lease shall exceed three years without the consent in writing of the Governor.

Power to lease market reserves.

See 59 Vict., No. 10, s. 6.

204. ANY council may let on lease for any term, and subject to any exceptions, reservations, covenants, and conditions, any lands within the municipality reserved for market purposes.

Council appointed cemetery trustees.

Local Government Act (Vic.), s. 237.

205. WHENEVER the council have been heretofore, or shall be hereafter, appointed trustees of any cemetery, all hereditaments and property granted or held on trust by such council or other the trustees of such cemetery, for the purposes of such cemetery, shall vest in the municipality, subject to the trusts affecting the same; and the council shall have and perform all the powers and trusts by law conferred on the trustees of such cemetery.

PART VIII.—CONTRACTS.

Mode of entering into contracts and effects thereof.

See 59 Vict., No. 10, s. 226.

Local Government Act (Vic.), s. 374.

206. THE council shall, in the name and on the behalf of the municipality, enter into contracts for the purposes of this Act, and every such contract may be made, varied, or discharged as follows (that is to say):—

- (1.) Any contract which, if made between private persons, would be by law required to be in writing and under seal, the council shall make in writing and under the common seal of the municipality, and in the same manner may vary or discharge the same.
- (2.) Any contract which, if made between private persons, would be by law required to be in writing, signed by the parties to be charged therewith, the council shall make in writing, signed by the council or any two of its number acting by the direction and on behalf of the council, and in the same manner may vary or discharge the same.
- (3.) Any contract which, if made between private persons, would be by law valid, although made by parol only, and not reduced in writing, the council or any two of its number acting

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acting by the direction and on behalf of the council may make by parol only, without writing, and in the same manner may vary or discharge the same.

And all contracts made according to the provisions herein contained shall be effectual in law, and shall be binding on the council and all other parties thereto, their successors, heirs, executors, or administrators, as the case may be, and in case of default in the execution of any such contract, either by the council on behalf of the municipality, or by any other party thereto, such actions or suits may be maintained thereon, and damages and costs recovered by or against the municipality, or the other parties failing in the execution thereof, as might have been maintained and recovered had the same contracts been made between private persons only.

207. THE council may purchase land from any person who may be willing to sell the same for the purpose of executing any of the works and undertakings the council may be authorised to execute, and may pay the purchase money out of the municipal fund, or any other moneys applicable for the execution of such works and undertakings, and may, for any such purpose as aforesaid, take on lease for any term and subject to any such covenants and conditions as the council shall think reasonable, any land, and may pay the rent with or without any fine as may be agreed upon out of the municipal fund or any other moneys applicable.

Power to purchase land.

See 59 Vict., No. 10, s. 6.

Act 1283 (Vic.), s. 101.

208. THE council may compound with any party who has entered into any contract with the council or with any person by or against whom any action or suit has been brought for any cause whatsoever, for such sum or sums of money or other recompense as the council may think proper, and may submit all or any matters in dispute to arbitration.

Composition for breaches of contract.

See Local Government Act (Vic.), s. 376.

209. SUBJECT to the approval of the Governor, it shall be lawful for the council from time to time to contract upon such terms and conditions as they may see fit with any other council or public body for or with respect to the doing and the control and management by either or both of the contracting parties of any matter or thing which such contracting parties are or either of them is by law empowered to do, control, and manage, and to carry out every such contract according to the tenor thereof.

Power to contract with other municipalities and public bodies.

Ibid., s. 377.

PART IX.—POWER TO TAKE LAND FOR WORKS AND UNDERTAKINGS.

210. SUBJECT to the provisions of this Act, the council may, within the municipality, with the consent of the Governor, take land compulsorily for the purpose of executing any of the works and undertakings authorised by this Act.

Power to take land compulsorily.

Ibid., s. 378.

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Plans, etc., to be prepared.

Ibid., s. 379.

211. WHENEVER any council deem it expedient to execute any work or undertaking for the purposes whereof the exercise of any compulsory power of taking land will in their opinion be necessary or desirable, they shall cause to be prepared such specifications, maps, plans, sections, and elevations as may be necessary, expressing the nature and extent of such work or undertaking, and the exact site and admeasurements thereof, and on or through what lands the same is proposed to be placed and to be extended, and the names of the owners or reputed owners, lessees, or reputed lessees, and the occupiers thereof so far as is known; and the same, when so prepared and approved by the council, shall be deposited at the office of the council, and shall be open for inspection by all persons interested at all reasonable hours for the space of twenty-one clear days after notice has been given by advertisement in the *Government Gazette* as next hereinafter provided.

Publication of notice.

Ibid., s. 380.

212. THE council shall, after the said specifications, maps, plans, sections, and elevations have been deposited, publish in the *Government Gazette* and in some newspaper a notice describing shortly the purport of the said specifications, maps, plans, and other papers, and stating that the same are deposited for inspection, and the place where they are so deposited, and calling upon all persons affected by the proposed work or undertaking to set forth in writing, addressed to the town clerk, within twenty-one days of the publication of such notice in the *Government Gazette*, all objections which they may have to the work or undertaking, and shall further, within one week after such publication as aforesaid, serve a notice in manner hereinafter mentioned on every owner or reputed owner, lessee, or reputed lessee, or occupier of such lands, defining in every case the particular land intended to be taken, and requiring an answer, stating whether the person so served assents, dissents, or is neuter in respect of taking such land, such notice to be served—

By delivering the same personally to the person requiring to be served, or, if such person is absent from the Colony, to his agent; or

By leaving the same at the usual or last known place of abode of such person as aforesaid; or

By forwarding the same by post in a registered letter addressed to the usual or last known place of abode of such person.

Objections.

See *ibid.*, s. 381, altered as to time

213. AT the next ordinary meeting of the council, after the expiration of twenty-one days from the publication of such notice, any person affected by the proposed work or undertaking

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taking, or his agent or manager for the property in respect of which he is so affected, who has set forth in writing his objections to the said work or undertaking within the time hereby limited for the purpose, may appear before the council in support of such objections.

214. THE council shall, touching all such objections, have authority to hear, receive, and take evidence, and by summons under the hand of the mayor, require all such persons as the council may think fit to appear before the council at a time to be fixed in and by such summons, and to produce all books and papers in their possession or under their control as may appear necessary for the purpose of their examination; and the mayor shall administer and take for the council all necessary oaths, affirmations, and declarations.

Power to receive evidence.

Ibid., s. 382.

215. IF, after the expiration of such term of twenty-one days and hearing all objections (if any) so set forth as aforesaid, and such evidence as the council may require, it appears to them expedient to proceed with the work or undertaking, the council may make an order directing the work or undertaking to be executed according to the specifications, maps, plans, sections, and elevations deposited as aforesaid; and if it is found to be necessary for the purposes of any such work or undertaking to take any land compulsorily, may cause such order, together with such copies of all specifications, maps, plans, sections, and elevations, and with the written objections (if any), to be transmitted to the Minister; and the Minister shall consider the same respectively, and shall, for the purpose of such consideration, have the like powers as are by the last section vested in the council, and may confirm the said order with or without variation, or may disallow such order, and notice of the confirmation or variation thereof shall be published in the *Government Gazette*.

Order for execution of work.

Ibid., s. 383, altered as to time.

Confirmation of order when land required to be taken compulsorily.

216. UPON the confirmation of such order the council shall be authorised to take and use, subject to the provisions hereinafter contained, for the purpose of such work or undertaking, all such land as is described in and by the said specifications, maps, plans, and sections as being required for the said work or undertaking: Provided that the council shall make to the owners of, and all persons interested in, any lands taken or used for the purpose of such work or undertaking, or injuriously affected by the execution thereof, full compensation for the value of the lands so taken or used, and for all damage sustained by such owners, occupiers, and other persons by reason of the exercise of the powers vested in the council by this Act; and the amount of this compensation shall be ascertained in manner hereinafter provided.

After confirmation, work may be executed.

Ibid., s. 384.

217.

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Order when confirmed to be valid.

Ibid., s. 386.

217. AFTER the confirmation by the Minister of any such order, the same shall be deemed valid and effectual, notwithstanding any non-compliance with any matter or thing hereinbefore required as preliminary thereto.

The Land Resumption Acts incorporated.

218. FOR the purpose of ascertaining the amount of compensation to be paid for any lands taken under this Act, the sections of the Land Resumption Acts of 1894 and 1896, relating to compensation, are hereby incorporated with this Act, and shall be read as if the order for taking lands under this Act were the order there referred to, and as if the council were the Commissioner of Crown Lands, and shall take effect with regard to all works and undertakings for the purposes of which the council may be authorised to take and use lands, and not otherwise.

PART X.—STREETS, WAYS, ROADS, BRIDGES, FERRIES, CULVERTS, WATER-COURSES, AND JETTIES.

Division 1.—Dedication of Public Highways.

The Governor may proclaim highways.

Ibid., s. 388.

219. IT shall be lawful for the Governor on request of the council, by notice in the *Government Gazette*, to declare any land reserved, used, or by purchase or exchange acquired for a street, or way, to be a public highway, and such land shall thereupon and thenceforth, from the date of such proclamation, become and be absolutely dedicated to the public as a highway within the meaning of any law now or hereafter in force.

Effect of notices.

See *ibid.*, s. 389.

220. ALL notices heretofore or hereafter to be published in the *Government Gazette*, fixing and declaring the breadth of the carriage or footways of any street, way, or public place, shall from the date of such publication as aforesaid be deemed to operate as a dedication by Her Majesty to the public of the land referred to in such notice as a street.

Width of streets, etc.

59 Vict., No. 10, s. 120.

62 Vict., 28, s. 3.

Proviso as to dedication of streets not 66 feet wide.

221. NO street shall, after the passing of this Act, be set out unless the width of such street, to be ascertained by measuring at right angles to the course of such street from front to front of the building line on either side thereof, shall be sixty-six feet at the least, and no council shall declare any street of lesser width: Provided that the council shall have power to dedicate to the public use any surveyed street, not less than twenty-five feet in width, on which allotments have been laid out and sold, and which shall have been set out before the passing of this Act, and shall have been in unrestricted

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restricted public use for at least twelve months ; and, after publication of notice thereof in the *Government Gazette*, such dedication shall be deemed to be valid and complete, and such street shall thereupon become a public street.

222. ON the application of the owner or (if there be more than one owner) of the owners of so many of the houses and lands abutting upon any private street, not being of less width than 66 feet, except as hereinafter provided in that behalf, as in ratable value are the greater part of all the houses and lands so abutting, the council may, by writing under the common seal of the municipality, declare the same to be a street ; and the said street shall become a public street, and shall thereafter be under the management of the council.

Streets made good by owners, etc., to be public highways.

See 59 Vict., No. 10, s. 119.

223. ANY municipality declared after the passing of this Act shall have power, with the consent of the Governor, to dedicate to the public use any surveyed street or way not less than 25 feet in width, which has been in unrestricted public use for at least 12 months, and on which allotments have been laid out and sold.

224. ANY private street or way not taken over by the council shall as to the prevention and suppression of nuisances therein and the cleansing thereof be subject to the provisions of this Act, and every Act relating to the public health, for the general regulation of streets or ways from and after the period at which any such private street or way is set out and aligned.

Formation and repairs of private streets.

59 Vict., No. 10, s. 134.

Slightly altered.

225. THE council may by notice direct that any land taken, purchased, or acquired by them shall be a street or way from such time as is named in such notice ; and every such notice shall be published in the *Government Gazette*, and thereupon such land shall become and be a street or way, and be deemed to be dedicated to the public accordingly.

Council may order that new streets be public highways.

Local Government Act (Vic.), s. 390.

226. ANY notice as in the last preceding section mentioned may declare that any land dedicated thereby to the public shall be in lieu of any existing street or way named in such notice, and in case of the publication of such notice in the *Government Gazette* such street or way shall be discontinued accordingly, and the land and soil thereof shall vest in the municipality, and shall and may be sold and conveyed by the council ; but if such former street or way leads to any land, house, or place which cannot, in the opinion of the council, be conveniently approached by the new street or way, then, and in such case, such former street or way shall be sold subject to the right-of-way

Old road, how disposed of.

Ibid., s. 391.

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Order when confirmed to be valid.

Ibid., s. 386.

217. AFTER the confirmation by the Minister of any such order, the same shall be deemed valid and effectual, notwithstanding any non-compliance with any matter or thing hereinbefore required as preliminary thereto.

The Land Resumption Acts incorporated.

218. FOR the purpose of ascertaining the amount of compensation to be paid for any lands taken under this Act, the sections of the Land Resumption Acts of 1894 and 1896, relating to compensation, are hereby incorporated with this Act, and shall be read as if the order for taking lands under this Act were the order there referred to, and as if the council were the Commissioner of Crown Lands, and shall take effect with regard to all works and undertakings for the purposes of which the council may be authorised to take and use lands, and not otherwise.

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59 Vict., No. 10,
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62 Vict., 26, s. 3.

Proviso as to dedication of streets not 66 feet wide.

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restricted public use for at least twelve months ; and, after publication of notice thereof in the *Government Gazette*, such dedication shall be deemed to be valid and complete, and such street shall thereupon become a public street.

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Streets made good by owners, etc., to be public highways.

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223. ANY municipality declared after the passing of this Act shall have power, with the consent of the Governor, to dedicate to the public use any surveyed street or way not less than 25 feet in width, which has been in unrestricted public use for at least 12 months, and on which allotments have been laid out and sold.

224. ANY private street or way not taken over by the council shall as to the prevention and suppression of nuisances therein and the cleansing thereof be subject to the provisions of this Act, and every Act relating to the public health, for the general regulation of streets or ways from and after the period at which any such private street or way is set out and aligned.

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restricted public use for at least twelve months ; and, after publication of notice thereof in the *Government Gazette*, such dedication shall be deemed to be valid and complete, and such street shall thereupon become a public street.

222. ON the application of the owner or (if there be more than one owner) of the owners of so many of the houses and lands abutting upon any private street, not being of less width than 66 feet, except as hereinafter provided in that behalf, as in ratable value are the greater part of all the houses and lands so abutting, the council may, by writing under the common seal of the municipality, declare the same to be a street ; and the said street shall become a public street, and shall thereafter be under the management of the council.

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224. ANY private street or way not taken over by the council shall as to the prevention and suppression of nuisances therein and the cleansing thereof be subject to the provisions of this Act, and every Act relating to the public health, for the general regulation of streets or ways from and after the period at which any such private street or way is set out and aligned.

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Effect of notices.

See *ibid.*, s. 389.

220. ALL notices heretofore or hereafter to be published in the *Government Gazette*, fixing and declaring the breadth of the carriage or footways of any street, way, or public place, shall from the date of such publication as aforesaid be deemed to operate as a dedication by Her Majesty to the public of the land referred to in such notice as a street.

Width of streets, etc.

59 Vict., No. 10,
s. 120.

62 Vict., 26, s. 3.

Proviso as to dedication of streets not 66 feet wide.

221. NO street shall, after the passing of this Act, be set out unless the width of such street, to be ascertained by measuring at right angles to the course of such street from front to front of the building line on either side thereof, shall be sixty-six feet at the least, and no council shall declare any street of lesser width: Provided that the council shall have power to dedicate to the public use any surveyed street, not less than twenty-five feet in width, on which allotments have been laid out and sold, and which shall have been set out before the passing of this Act, and shall have been in unrestricted

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restricted public use for at least twelve months ; and, after publication of notice thereof in the *Government Gazette*, such dedication shall be deemed to be valid and complete, and such street shall thereupon become a public street.

222. ON the application of the owner or (if there be more than one owner) of the owners of so many of the houses and lands abutting upon any private street, not being of less width than 66 feet, except as hereinafter provided in that behalf, as in ratable value are the greater part of all the houses and lands so abutting, the council may, by writing under the common seal of the municipality, declare the same to be a street ; and the said street shall become a public street, and shall thereafter be under the management of the council.

Streets made good by owners, etc., to be public highways.

See 59 Vict., No. 10, s. 119.

223. ANY municipality declared after the passing of this Act shall have power, with the consent of the Governor, to dedicate to the public use any surveyed street or way not less than 25 feet in width, which has been in unrestricted public use for at least 12 months, and on which allotments have been laid out and sold.

224. ANY private street or way not taken over by the council shall as to the prevention and suppression of nuisances therein and the cleansing thereof be subject to the provisions of this Act, and every Act relating to the public health, for the general regulation of streets or ways from and after the period at which any such private street or way is set out and aligned.

Formation and repairs of private streets.

59 Vict., No. 10, s. 134.

Slightly altered.

225. THE council may by notice direct that any land taken, purchased, or acquired by them shall be a street or way from such time as is named in such notice ; and every such notice shall be published in the *Government Gazette*, and thereupon such land shall become and be a street or way, and be deemed to be dedicated to the public accordingly.

Council may order that new streets be public highways.

Local Government Act (Vic.), s. 390.

226. ANY notice as in the last preceding section mentioned may declare that any land dedicated thereby to the public shall be in lieu of any existing street or way named in such notice, and in case of the publication of such notice in the *Government Gazette* such street or way shall be discontinued accordingly, and the land and soil thereof shall vest in the municipality, and shall and may be sold and conveyed by the council ; but if such former street or way leads to any land, house, or place which cannot, in the opinion of the council, be conveniently approached by the new street or way, then, and in such case, such former street or way shall be sold subject to the right-of-way

Old road, how disposed of.

Ibid., s. 391.

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Order when confirmed to be valid.

Ibid., s. 386.

217. AFTER the confirmation by the Minister of any such order, the same shall be deemed valid and effectual, notwithstanding any non-compliance with any matter or thing hereinbefore required as preliminary thereto.

The Land Resumption Acts incorporated.

218. FOR the purpose of ascertaining the amount of compensation to be paid for any lands taken under this Act, the sections of the Land Resumption Acts of 1894 and 1896, relating to compensation, are hereby incorporated with this Act, and shall be read as if the order for taking lands under this Act were the order there referred to, and as if the council were the Commissioner of Crown Lands, and shall take effect with regard to all works and undertakings for the purposes of which the council may be authorised to take and use lands, and not otherwise.

PART X.—STREETS, WAYS, ROADS, BRIDGES, FERRIES, CULVERTS, WATER-COURSES, AND JETTIES.

Division 1.—Dedication of Public Highways.

The Governor may proclaim highways.

Ibid., s. 388.

219. IT shall be lawful for the Governor on request of the council, by notice in the *Government Gazette*, to declare any land reserved, used, or by purchase or exchange acquired for a street, or way, to be a public highway, and such land shall thereupon and thenceforth, from the date of such proclamation, become and be absolutely dedicated to the public as a highway within the meaning of any law now or hereafter in force.

Effect of notices.

See *ibid.*, s. 389.

220. ALL notices heretofore or hereafter to be published in the *Government Gazette*, fixing and declaring the breadth of the carriage or footways of any street, way, or public place, shall from the date of such publication as aforesaid be deemed to operate as a dedication by Her Majesty to the public of the land referred to in such notice as a street.

Width of streets, etc.

59 Vict., No. 10, s. 120.

62 Vict., 26, s. 3.

Proviso as to dedication of streets not 66 feet wide.

221. NO street shall, after the passing of this Act, be set out unless the width of such street, to be ascertained by measuring at right angles to the course of such street from front to front of the building line on either side thereof, shall be sixty-six feet at the least, and no council shall declare any street of lesser width: Provided that the council shall have power to dedicate to the public use any surveyed street, not less than twenty-five feet in width, on which allotments have been laid out and sold, and which shall have been set out before the passing of this Act, and shall have been in unrestricted

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restricted public use for at least twelve months ; and, after publication of notice thereof in the *Government Gazette*, such dedication shall be deemed to be valid and complete, and such street shall thereupon become a public street.

222. ON the application of the owner or (if there be more than one owner) of the owners of so many of the houses and lands abutting upon any private street, not being of less width than 66 feet, except as hereinafter provided in that behalf, as in ratable value are the greater part of all the houses and lands so abutting, the council may, by writing under the common seal of the municipality, declare the same to be a street ; and the said street shall become a public street, and shall thereafter be under the management of the council.

Streets made good by owners, etc., to be public highways.

See 59 Vict., No. 10, s. 119.

223. ANY municipality declared after the passing of this Act shall have power, with the consent of the Governor, to dedicate to the public use any surveyed street or way not less than 25 feet in width, which has been in unrestricted public use for at least 12 months, and on which allotments have been laid out and sold.

224. ANY private street or way not taken over by the council shall as to the prevention and suppression of nuisances therein and the cleansing thereof be subject to the provisions of this Act, and every Act relating to the public health, for the general regulation of streets or ways from and after the period at which any such private street or way is set out and aligned.

Formation and repairs of private streets.

59 Vict., No. 10, s. 134.

Slightly altered.

225. THE council may by notice direct that any land taken, purchased, or acquired by them shall be a street or way from such time as is named in such notice ; and every such notice shall be published in the *Government Gazette*, and thereupon such land shall become and be a street or way, and be deemed to be dedicated to the public accordingly.

Council may order that new streets be public highways.

Local Government Act (Vic.), s. 390.

226. ANY notice as in the last preceding section mentioned may declare that any land dedicated thereby to the public shall be in lieu of any existing street or way named in such notice, and in case of the publication of such notice in the *Government Gazette* such street or way shall be discontinued accordingly, and the land and soil thereof shall vest in the municipality, and shall and may be sold and conveyed by the council ; but if such former street or way leads to any land, house, or place which cannot, in the opinion of the council, be conveniently approached by the new street or way, then, and in such case, such former street or way shall be sold subject to the right-of-way

Old road, how disposed of.

Ibid., s. 391.

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right-of-way and passage to and from such house, land, or place and the moneys arising from every such sale shall be carried to the credit of the municipal fund.

Absolute property in roads, etc., to vest in municipality.

See 59 Vict., No. 10, s. 5.

227. IT is hereby declared and enacted that, notwithstanding any presumption of law to the contrary, the absolute property in the land heretofore or hereafter reserved or proclaimed under this or any other Act as a street, is, and shall be, vested in the municipality.

Division 2.—Appointment of Control of Bridges and Ferries.

Power to Governor to appoint control of bridge or ferry at boundary of municipality.

Local Government Act (Vic.) s. 399.

228. WHERE any river, creek, or water-course is so situated that at any one place one bank thereof is within or adjoining any municipality, and both banks thereof are not within such municipality, the Governor may, with the consent of the Council by order published in the *Government Gazette*, appoint the control of any bridge or ferry across such river, creek, or water-course at such place and the approaches thereto, and so much of either bank at such place as may be necessary for the convenient construction and use of a bridge or ferry and proper approaches thereto respectively thereat to the council and every such order may in like manner vary or revoke.

Roads, etc., under management of council.

Ibid., s. 400.

229. EVERY street, bridge, ferry, or river, of which the council has the management or control, shall be deemed to be within such municipality.

Reserves for water supply may be declared.

59 Vict., No. 10, s. 118.

230. THE council may declare any portion of any river or water-course within the limits of the municipality to be reserved for the supply of water for public use.

Division 3.—Making, Maintenance, and Management of Streets, Ways, Bridges, Ferries, Culverts, Water-courses, and Jetties.

Council to have certain powers as to public places, streets, roads, drains, wharves, etc.

59 Vict., No. 10, s. 100.

231. THE council may make, improve, maintain, alter, level, grade, extend, pave, light, water, cleanse, repair, keep in good order and condition and otherwise improve all public places, streets, ways, bridges, culverts, jetties, ferries, wharves, and other premises within the municipality; and may plant and maintain trees on public places and streets or ways, as seem proper; and may make and keep in good order and condition all sewers, gutters, drains, and water-courses along or under the said public places, streets, ways, wharves, and jetties, for carrying off the water, mud, or other filth, and again remove or alter the same as occasion requires; and may place bars and other fences across or along the said public places, streets, ways, wharves, or jetties,

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jetties, when under or preparatory to their alteration or repair, and may erect posts or railings, and suspend chains for guarding footways, gutters, or the like, and generally may do and make or cause to be made and done all acts and things whatsoever that are necessary and proper for accomplishing the several purposes aforesaid.

232. SUBJECT to the provisions of this Act the council may within the municipality from time to time open new streets or ways, divert any street or way, alter or increase the width of any street or way, or cause to be raised or lowered the ground or soil of any street or way.

New roads, etc.
Local Government
Act (Vic.) s. 402.

233. THE council may use locomotives propelled by steam upon any street or way for the purpose of making and rolling the same, subject to the following conditions:—

Steam road roller.
59 Vict., No. 10,
s. 122.

- (1.) At least two persons shall be employed with each locomotive, one of whom shall on foot precede the locomotive when in motion and who shall, in case of need, assist riders and drivers of horses and carriages passing the same.
- (2.) Barriers shall be provided and fixed, when practicable and not inconvenient, at the ends and in sections of streets or ways to prevent ingress or egress during the time a street or way is undergoing rolling with a steam roller.

234. THE council may from time to time cause any street or way or portion of a street or way to be watered, and may employ such men, horses, and water-carts or other means as are necessary for that purpose.

The Council may
cause streets to be
watered.
56 Vict., No. 10,
s. 128.

235. NO person shall be entitled to recover damages against any municipality in respect of any loss or injury sustained either to himself or to any other person or any property by reason of any accident upon or while using any portion of a street or way under the control of the council, which portion has not been interfered with by the council, merely because some other portion of such street or way, whether distant laterally or longitudinally, has been taken over or improved by the council: Provided that nothing in this section shall relieve any municipality from any liability where such accident is caused by the negligence of the council in the execution of works then in progress, or which have been completed by such council in any street or way within such municipality.

Extent of liability of
municipality.
See Local Govern-
ment Act (Vic.) s.
406.

236. NO action shall be brought against any municipality in respect of any works made or constructed under or by virtue of this part

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relieved from certain
actions.

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part of this Act, or in respect to any damage or injury arising out of the making or constructing of any such works, by reason only that the municipality made or constructed the same, or caused the same to be made or constructed, without exercising any power created or conferred by this Act.

Power to close roads
for repairs.

237. FOR such time as may be necessary for the purpose of making, improving, maintaining, altering, or increasing the width, or causing to be raised or lowered the ground or soil of any street or way within any municipality, the mayor or town clerk may close such street, way, or any bridge, and stop all traffic thereon.

Council may impound
cattle.

Local Government
Act (Vic.), s. 408.

238. FOR the purpose of any law now or hereafter to be in force relating to the impounding of cattle, every municipality shall be deemed the owner and occupier of all streets, ways, bridges, and ferries within the municipality.

Power to impound
cattle grazing on
roads.

Ibid., s. 409.

239. ANY cattle driven along or on to any street or way for the purpose of grazing, without the consent of the council of the municipality, shall be deemed to be trespassing on such street or way, and may be impounded by the council under any law for the time being in force relating to the impounding of cattle.

Material of roads,
etc., to belong to
council.

Ibid., s. 410.

240. THE materials of all public streets, ways, bridges, culverts, ferries, wharves, and jetties, and all matters and things appurtenant thereto, and all buildings, fences, gates, posts, boards, stones, and erections placed upon any street, ways, bridge, culvert, ferry, wharf, or jetty by any person or persons, or body corporate for the time being having the management thereof, and all materials, tools, and implements provided for constructing, repairing, or maintaining such streets, ways, roads, bridges, culverts, ferries, wharves, and jetties, and the scrapings of all streets or ways shall belong to the council of the municipality within which the same respectively are.

Power to make, etc.,
water-courses, etc.

59 Vict., No. 10,
s. 110.

Local Government
Act (Vic.) s. 411.

241. THE council may, in and through any lands within the municipality, make and open such ditches, gutters, tunnels, drains, and water-courses as to such council may seem fit, and all ditches, creeks, gutters, tunnels, drains, or water-courses within or adjoining to the municipality may make, scour, cleanse, and keep open, and for any of the purposes aforesaid may enter upon any lands, and such council shall make compensation to the owners for any damage which they may sustain through the exercise of any of the powers conferred by this section.

Temporary road dur-
ing repairs.

Ibid., s. 412.

242. THE council may, through any grounds adjoining to any ruinous part of any street or way or any bridge or ferry which such council

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council are making or repairing, not being the site or curtilage of any house or a garden, lawn, yard, court, park, plantation, planted walk, avenue, or nursery for trees, make a temporary street or way, bridge, or ford, to be made use of as a public highway whilst the old street, way, bridge, or ferry is being made or repaired, making compensation to the owners and occupiers of such grounds for any damage which they may thereby sustain.

243. THE council may plant trees in any street or way in the municipality, and erect tree-guards to protect the same.

Power to plant trees.

59 Vict., No. 10,
s. 111.

Ibid. s. 416.

244. THE council may affix upon the walls of any house within the municipality any board or plate legibly showing thereon the name of any street or way, or such notice as may be conducive to the public convenience; or may cause such name or notice to be painted or coloured upon such walls, or may fix on such house any letters in wood, iron, or other material, by which such names of streets, or ways may be expressed so as to be legible.

The council may
paint or affix names
of streets on houses.

59 Vict., No. 10,
s. 126.

245. THE council may assign a number to each house in every street, or way within the municipality, and may from time to time, whenever they may deem it expedient, assign any other number to such house in lieu of the previously assigned number, and the occupier of every such house is hereby required to paint or affix such number upon a conspicuous place on the front of such house within fourteen days after notice to that effect, signed by the mayor or town clerk, shall have been served on such occupier. Any person failing to comply with the provisions of this section shall be deemed to have committed an offence under this Act.

Council may assign
a number to each
house.

Ibid., s. 127.

246. NO person shall in any street, way, or public place, or in any park lands, squares, or reserves, fix any posting bills or other papers against or upon any building, wall, fence, tree, verandah post, lamp post, electric light post, tramway post, telegraph post, or other post, rail, pole, seat, or any kerb, paving, or footway, the property of or under the control of the council, or in, over, or upon any street, way, or public place; or write upon, soil, deface, stencil, chalk, paint, or mark any such building, wall, fence, tree, verandah post, lamp post, electric light post, tramway post, telegraph post, or other post, rail, pole, seat, kerb, paving, or footway, without having first obtained the consent thereto of the council for such time and on such terms as the council may decide, nor then except in accordance with such consent. Any person offending against the provisions of this section shall be guilty of an offence against this Act, and shall be liable for every such offence to a penalty not exceeding Ten pounds.

Posting bills, etc.,
without permission
of council.

Ibid., s. 125.

Division

*Municipalities.**Division 4.—Making and Maintenance of Streets, Ways, Bridges, and Ferries on the Boundaries of Municipalities.*

Bridges and ferries
at boundary of
municipality.

Local Government
Act (Vic.) s. 420.

247. IF at any place one bank of any river, creek, or watercourse lies within any municipality, and the opposite bank is outside such municipality, and not within any other municipality, the council with the consent and approval of the Governor, may, for the purpose of constructing, establishing, or repairing at such place, any bridge, culvert, wharf, or ferry, and any approaches thereto, exercise the like powers over such river, creek, or watercourse, and both banks thereof, as though the whole breadth and both banks were within the municipality.

Council may lease
ends of streets for
wharves.

59 Vict., No. 10,
s. 117.

Altered as to time.

248. THE council may, with the approval of the Governor, lease for any period not exceeding thirty years any convenient portions of land being the ends of the streets or ways abutting on any river, creek, or water-course, or stream, for the purposes of erecting and maintaining wharves and other landing places.

Local authorities to
unite in maintaining
common boundary.

249. WHERE any street, way, river, stream, or watercourse forms a common boundary of two municipalities, or of a municipality and a road district, whether it lies wholly in one or partly in both, such local authorities may be compelled to unite in making or repairing such street or way, or maintaining the banks of and making and maintaining bridges over or culverts into such river, stream, or watercourse.

Agreement to be
made between local
authorities for main-
taining works.

250. EITHER of such local authorities may serve on the other a notice requiring such works as are mentioned in the last preceding section, and are specified in the notice to be done, and shall accompany such notice with a proposal for carrying out the work, and an offer to treat and agree with respect to the performance and future maintenance and repair by either party of the whole or part thereof; and such agreement may be made accordingly, and every such local authority shall have power to perform, maintain, and repair any works in accordance with such agreement, or to bear the cost of such performance, maintenance, and repair.

Court may summon
council, etc., failing
to treat.

Ibid., s. 423.

251. IF for the space of one month after the receipt of any such notice the local authorities concerned fail to agree as to the subject matter thereof, it shall be lawful for either of such local authorities at any time afterwards to apply to the Resident or Police Magistrate or two Justices having jurisdiction in the locality for a summons calling on the other local authority to show cause why the work mentioned in such notice should not be executed.

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252. THE said Resident or Police Magistrate, or two Justices, upon proof of the giving of such notice, and upon the appearance of both parties, or proof if the party so summoned do not appear of the due service upon such party of such summons, may hear and determine the matter in question, and determine whether or not such work shall be done, and what shall be the nature and extent thereof, and may apportion such work between the authorities or direct either authority to execute the whole work, and the other authority to pay thereto any portion of the cost thereof, and may in like manner provide for the future maintenance and repair thereof.

Court may apportion work and order execution.

Ibid., s. 424.

253. IF either such authority, as aforesaid, having performed its part of any such agreement, or of any such order of the Resident or Police Magistrate or Justices, or having performed in part only, and having been prevented from completing by the non-performance of some work to be performed by the other authority, as herein-before provided, the other authority omit to comply with so much of any such order as applies to such last-named authority, the first-named authority, from time to time, after one month's notice to the authority so omitting of its intention so to do, may execute the whole or any part of the matters or things comprised in such agreement or enjoined by such order to be performed by the authority so omitting, and recover the expense of so doing from the authority so omitting.

On omission other party may execute and recover expense.

Ibid., s. 425.

254. IF either authority, as aforesaid, omit to make any money payment which such authority has agreed or been ordered to make by any such agreement or order, the other authority, having performed its part of such agreement or order, may recover the same before a Resident or Police Magistrate or two Justices.

Recovery of money payment.

Ibid., s. 426.

Division 5.—Obstruction to Streets, Ways, and Water-courses, etc.

255. EVERY person who displaces, takes up, or makes any alteration in the soil, pavement, flags, sods, or other material of any street, way, path, or footway, under the control of the council without their consent in writing, shall be liable to a penalty not exceeding Five pounds, and also to a further penalty not exceeding Ten shillings for every square foot of pavement, flags, sods, or other materials of the street, way, path, or footway, exceeding one square foot so displaced, taken up, or altered.

Displacement, etc., of materials of streets.

Ibid., s. 427.

256. EVERY person who encroaches upon or obstructs by making or causing to be made any building, hedge, ditch, fence, hole, heap, or drain on, across, or in any street or way within any municipality shall, for every such offence, be liable to a penalty not exceeding

Encroachment upon streets.

Ibid., pt. s. 428.

Twenty

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Twenty pounds, and a further penalty not exceeding Five pounds for every day while the same is so continued; and the council shall cause such encroachment, or obstruction, building, hedge, ditch, fence, hole, heap, or drain to be taken down or filled up, or otherwise made good at the expense of any person by whom the same has been made, or to whom it belongs, and such expenses may, in default of payment, be recovered before any two Justices or Court of competent jurisdiction.

Temporary closing
of street by means
of unlocked swing
gates.

Ibid., pt. s. 428.

257. WHEREVER the temporary closing of any street or way, by means of unlocked swing gates, will not be injurious to the public, or where the traffic is so slight that the temporary closing of such street or way would not create any inconvenience, the Governor may, on the application of the council, from time to time grant to the owner, the lessee, or licensee from the Crown of adjoining lands to such street or way, a license to close it with unlocked swing gates for a time limited in such license, and may at any time revoke such order or license: Provided that before any such street or way be closed as aforesaid, notice of the application for a license to allow such street or way to be closed, and the reasons for making the same, shall be published in the *Government Gazette* and in some newspaper once in each week for four consecutive weeks, stating the situation of the street or way and the period for which it is proposed to close the same; and in every case the period for which such street or way is to be closed shall be published in the *Government Gazette*: Provided that where a street or way adjoins any purchased lands, and is required for access to such lands only, and not otherwise for public use and convenience, if the owner of such land make application to close such street or way, and the Governor approve thereof, and if an adequate money consideration according to the determination of an appraiser appointed by the council be paid for the same, the Governor may order such street or way to be closed; and the Governor may grant in fee the soil of the street or way so closed to the owner of such adjoining lands.

Obstruction, etc., of
water-courses, etc.

Ibid., s. 429.

258. IF any person alter, obstruct, or in any manner interfere with any ditches, creeks, gutters, drains, water-courses, tunnels, or bridges after they have been made by or taken under the control of the council without the authority of such council, such person shall be liable to reimburse all charges and expenses which may be occasioned by reinstating and making good the work so altered, obstructed, or interfered with, to be recovered in default of payment before two Justices, and shall for every offence be liable to a penalty not exceeding Twenty pounds.

Obstruction to water-
courses by trees,
logs, etc.

Ibid., s. 430.

259. IF any person wilfully or negligently causes or permits any loose trees, logs, timber, or brushwood growing, or which may have been growing on any land within his occupation, to fall into any

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any stream, river, or watercourse, he shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Five pounds for the first and not exceeding Twenty pounds for every subsequent offence.

260. WHERE any land, which shall adjoin or abut upon any street or way within any municipality, is not fenced in or enclosed to the satisfaction of the council, or is overgrown with underwood or bushes, or the fence whereof has been allowed to fall into disrepair, such council may, from time to time by writing under the hand of the mayor or town clerk, order that such land, so far as the same shall adjoin or abut upon such street or place, be cleared or enclosed with a substantial fence of such description and materials as the council may prescribe from time to time; or in order to prevent drift sand, soil, or other refuse from being carried on to any street or place to the obstruction or annoyance of the passers-by or others, the council may order that such land be enclosed by a close and substantial fence within such time as to the council may appear expedient; and the owner of the said land, after due service on him of such order, shall, in such manner and in such time as shall be expressed therein, at his own cost, clear or well and sufficiently fence, to the satisfaction of the council, so much of the said land as shall abut upon any such street or way.

Council may compel owner to clear and fence land.

59 Vict., No. 10, s. 123.

261. IF any such owner shall neglect to fence in or otherwise enclose any such land in the manner and within the time expressed in such order, the council may clear, fence in, and enclose such land or such parts thereof as shall not have been fenced in and enclosed pursuant to such order, and cause an account of the expenses thereby incurred, and payment thereof to be demanded from such owner; and in default of payment thereof within thirty days from such demand, the council, may lodge a caveat with the Registrar of Titles against the transfer of such land until payment is made, and, by writing under the hand of the town clerk, may order payment thereof by such owner, who shall pay the same accordingly, and the amount so expended and ordered to be paid shall be recoverable by the council in like manner as rates.

In default of owner clearing, etc., council may do so at his expense.

59 Vict., No. 10, s. 124.

With addition.

262. (1.) THE council may require the owner or occupier of any building, balcony, shop front, verandah, or other property abutting on a street, way, or public place, to construct the roof-flats or gutters of the same in such a manner, and to supply the same with gutters and pipes so that no water from such roof-flats or gutters drips upon or runs over any part of any such street, way, or public place, and also to cause the water from such roof-flats or gutters to be conducted through a pipe or trunk under any footway to

Overhanging gutters or eaves.

59 Vict., No. 10, s. 142, with addition.

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to the gutter or drain of such street, way, or public place in such manner as the council may approve.

(2.) Every owner or occupier refusing or omitting to comply with such request within fourteen days from the service of the notice requiring him so to do shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding Fifty pounds for each such offence; and the council may cause to be done anything necessary to effect such alteration or improvement as is required at the expense of such owner or occupier, and such expense may, in default of payment, be recovered before any two Justices.

Provided that any occupier of property upon whom, under the provisions of this section, a penalty is imposed, or who is put to the expense aforesaid, may sue for and recover the amount of such penalty and expense from the owner of such property as money paid for such owner.

Council may fence footways.

59 Vict., No. 10, s. 130.

263. THE council in its discretion may erect temporary or permanent fences for preventing the access of cattle, horses, or vehicles to any of the footways, and for the general safety of foot passengers and the prevention of accidents, and from time to time may paint, repair, remove, and replace the same.

Owners to keep hedges from spreading over the road.

Local Government Act (Vic.), s. 431.

264. THE owner of any land separated from any street, way, or footway by a hedge or live fence shall keep such street, way, or footway clear from all grass, weeds, seedlings, suckers, or off-sets from such hedge or live fence, and in the event of grass, weeds, seedlings, suckers, or off-sets from any such fence growing upon such street, way, or footway, the mayor may cause a written notice to be served on the owner, requiring him to remove the same within fourteen days, and in default the council may cause the same to be removed, and the owner shall forthwith, on demand, pay the costs and expenses of removing the same to the council.

Trees obstructing or injuring roads.

Ibid., s. 432.

265. IF the council are of opinion that any street or way under their management is in any manner prejudiced or obstructed by any tree growing or being on land adjoining thereto, it shall be lawful for any two Justices on the application of the council, after summons duly served on the owner and occupier, or upon the occupier only if the owner cannot be found, of the land on which such tree is, to make an order for the removal of such tree or any part thereof by such owner or occupier as such Justices may see fit, and in default of compliance with such order within eight days after a copy thereof has been served personally on such owner or occupier, such owner or occupier, as the case may be, shall be liable to a penalty not exceeding Five pounds, and the council may remove such tree or such part thereof at the cost and expense of the owner or occupier.

Division

*Municipalities.**Division 6.—Fixing the Level of Streets, Ways, Private Streets.
Filling up Low Ground.*

266. EVERY person who intends to lay out or make any new street or way in the municipality shall give written notice of such intention to the council, in order that the level of such street may be fixed by the said council.

Notice of laying out new streets.
59 Vict., No. 10,
s. 135.

267. NO person shall lay out or make any new street or way within a municipality unless and until the level of such street or way has been fixed by the council, and until the surveyor is satisfied that the proper and perfect drainage of such street or way has been provided for by the person laying out such street or way, and every person shall, in building any house or other building in any street or way, the level of which has been fixed by the council, keep that level, and any person offending against this section, shall be liable to defray all such expenses consequent upon any change in the level of the street or way or that part of the street or way on which any such house or building abuts, and of providing for the proper and perfect drainage of the same as the council, by an order under the hand of the town clerk, directs.

Persons constructing street contrary to level fixed by the council to pay expenses consequent upon a change in the level.
Ibid., s. 136.

268. IF the council deem it necessary to raise, sink, or otherwise alter the alignment or level of any street, way, or footway in which any waterpipe or gaspipe, or other authorised works, are laid, they may from time to time, by notice, in writing, require the person to whom such pipes or works belong to cause, as soon as conveniently may be, such pipes or works to be raised, sunk, or otherwise altered in position in accordance with the altered level of such street or way: Provided that in case where the alignment or levels have been previously given by the council, such alteration shall be carried out at the council's expense.

Alteration of water or gas pipes on notice from council.

Local Government Act (Vic.) parts. 442.

269. IF the person to whom such pipes or works belong do not proceed, as soon as conveniently may be after the receipt of such notice, to cause the same to be raised, sunk, or altered in such manner as the council require, the council may themselves cause such pipes or works to be raised, sunk, or altered, as they think fit and recover the cost of same from such person: Provided that such works be not permanently injured by such alteration, or the water or gas prevented from flowing as freely and conveniently as before.

Council may act on default.

See *ibid.*, s. 443.

270. THE council may cause the footway or pathway, or any part or parts thereof, in front of any house or ground along any street or way to be paved in such manner as the council think fit; and may pay the whole or any proportion of the expense incurred thereby out of the general revenue of the

Footways may be flagged, kerbed, and paved at expense of owner.

59 Vict., No. 10,
s. 114.

the

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the municipality or out of loan moneys, and any proportion not exceeding one-half of the expense incurred thereby, when ordered by the council shall be borne and paid by the owner of such house or land, and may be recovered from such owner, or from the occupier of such house or land, in a summary way before two Justices, or by action in the Local Court: Provided, that no proceeding for the recovery of such amount shall be taken until an account of the expenditure, signed by the town clerk, has been sent or delivered to such owner or occupier: Provided also, that if the occupier of such house shall be compelled to pay for such paving, such occupier may either deduct the amount so paid from any rent then due, or thereafter to become due, to the owner (and the production of the receipt for the amount so paid by or recovered from such occupier, and the costs occasioned through such recovery, shall be a good and sufficient discharge for the amount so paid or recovered and the costs occasioned by such recovery); or such occupier may recover the amount so paid or any portion thereof not deducted as aforesaid from the owner in a summary way before two Justices, or by action in the Local Court; and, in the event of the non-payment to such council of such expenses and any costs recovered, the same shall be a charge on such lands, and recoverable from the same persons and in the same manner as rates, and may also be recovered in the same manner as is herein provided for the taking possession of lands on which arrears of rates are due.

Streets to be aligned
and width of foot-
ways determined.
59 Vict., No. 10, s. 121.
Altered.

271. THE council may cause all streets, ways, and public places to be correctly aligned, and may determine the width of all footpaths.

Footways in streets
of same width and
level.
Ibid., s. 129.
Altered.

272. THE council may cause the footways in the streets or ways to be made as nearly as practicable of the same width and level; and, for that purpose, may remove or reduce any paving, steps, unevenness of surface, or whatever obstructs, renders uneven, or contracts such footways, or any of them.

Crossing-places over
footways.
Ibid., s. 131.

273. THE council may fix crossing-places for vehicles and animals from any street or way to private residences or other premises on either side of the street or way.

Owner of property
requiring communi-
cation with street.
Ibid., s. 132.

274. UPON the application of any owner, or of the majority in number of any owners of property who require a communication with the street or way by means of a crossing, the council may permit the same to be constructed, under the superintendence and to the satisfaction of the council; or the council may construct the same and may recover the cost thereof from such owner or owners before two Justices.

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275. THE council may, by writing under the hand of the town clerk, require the owners or occupiers of any premises on either side of any street or way to make or repair any crossing-place over the footway leading to and from such premises into the said street or way to the satisfaction of the council; and unless the said owners or occupiers, within twenty-one days after the service of such requisition, shall show cause to the satisfaction of the council why such crossing should not be so constructed or repaired, or within such time construct or repair the same, the council may execute such work or repairs, and determine and charge such owners or occupiers with their proportionate parts of the expenses thereby incurred; and if, after the expiration of fourteen days from the delivery of an account of the proportionate expense to which any owner or occupier has become liable, the same is not paid, the council may recover the same in a summary way before two Justices.

Council may require owners and occupiers to make and repair crossing.

Ibid., s. 133.

Altered as to time.

276. THE council may fence in or otherwise enclose, level, drain, plant, and form walks and carriage-drives through and over any street, way, park lands, commonages, or reserves within a municipality or any part thereof, and may construct dams and reservoirs for the retention and formation of sheets of water thereon, or may otherwise improve and ornament the same, and do all such further acts and carry out such measures as are calculated for the adaptation of such lands or reserves to the purposes of recreation, amusement, health, and enjoyment.

Power to council to improve park lands, etc.

Ibid., s. 138.

277. THE council may from time to time appoint and fix places in the streets or ways to be used as public stands for licensed vehicles plying for hire, and from time to time may alter, vary, cancel, and remove stands so appointed, notwithstanding any such stands have been or are declared included or named in any by-law of the municipality; and may further direct, order, and fix the number and class of licensed vehicles to be allowed at any one time to ply for hire on any stands as may seem expedient.

Carriage stands.

Ibid., s. 112.

278. THE council may authorise the mayor for the time being, as circumstances arise, to appoint temporary stands in any of the streets or ways, and to cancel the same.

Temporary stands.

Ibid., s. 113.

PART XI.—SEWERAGE, ETC.

279. THE council may cause to be made under the streets or ways such sewers as may be necessary, and, if needful, may carry sewers through and across all underground cellars and vaults under any of the streets or ways; and if for completing any works it be necessary to carry them into or through any lands other than the streets

Construction of main sewers, etc.

Local Government Act (Vic.), s. 464. Abridged.

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streets or ways, or any lands without the municipality, whether streets, ways, or not, the council may, subject to the provisions hereof relating to the compulsory taking of lands for works or undertakings, carry the same into or through such lands accordingly; and they may, with the consent of the Governor, cause sewers to communicate and empty themselves into the sea, or may cause the refuse from sewers to be conveyed by a channel to the most convenient site for its collection and sale for agricultural or other purposes as may be deemed expedient.

Unlawfully making
branch drains, etc.
Ibid., s. 467.

280. EVERY person, not being authorised for that purpose by the council, who without the consent of the council makes any drain into any sewer or drain vested in the municipality, or who, without such consent, stops or obstructs any such last-mentioned sewer or drain shall, for every such offence, be liable to a penalty not exceeding Twenty pounds; and the council may cause such branch drain to be remade or altered as they think fit, and the expenses incurred thereby shall be repaid to the council by the person making or altering such branch drain, and may be recovered in a summary way before any two Justices.

Laying drains, etc.,
from private tenements.
Ibid. s. 468.
Abridged.

281. IF any house or building within any municipality be at any time not drained, by some sufficient drain or pipe communicating with some sewer or with the sea, to the satisfaction of the council, and if there be such means of drainage within one hundred feet of any part of such house or building, the council may construct or lay from such house or building a drain or pipe of such materials, of such size, at such level, and with such fall as they think necessary for the drainage of such house or building; and the expenses incurred shall be repaid to the council by the owner of such house or building.

Council may drain
land in certain cases.
Ibid., s. 469.

282. IF any land within a municipality is not, as to drainage of surface and storm-water, drained by some sufficient drain or channel communicating with some sewer or drain or channel used for the discharge of surface or storm-water, the council may construct or lay at and along the natural outfall of the water as shaped by the intervention of any houses, buildings, or other structures, and through any land lying between such first-mentioned lands and the nearest sewer, drain, or channel, an open drain or channel, paved, or otherwise secured, and suited for draining therefrom, and from the intermediate tenements such surface and storm water, but so that such drain or channel shall not pass through or under any house, building, or other like structure, and that it may, at the desire and request of any owner of land through which it may pass, descend and fall into any drain or channel already upon such land, and available for

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for the like drainage of the same, and lying along the natural outfall aforesaid; and all expenses incurred by the council in respect of any such drain or channel, or any part thereof, made through the land of any separate owners shall be repaid to the council by such owners.

283. THE council shall cause all sewers and drains to be kept so as not to be a nuisance or injurious to health; to be cleared, cleansed, and emptied; and for the purpose of clearing, cleansing, and emptying the same, may construct and erect such works as are necessary, and may cause all or any sewers to communicate with and be emptied into such places (the same not being a fresh-water running stream) as they deem fit and necessary.

Management of
sewers, drains, etc.
59 Vict., No. 10,
s. 145.
In part.

PART XII.—LIGHTING.

284. THE council, by contract or otherwise, may cause the streets, ways, and public places to be lighted with gas, oil, electric light or otherwise during such times as are requisite; and, in like manner, may provide such lamps, lamp-posts, lamp-irons, poles for erecting or connecting electric wires, gas pipes, and other works and materials as are necessary for that purpose; and may manufacture or contract for the manufacture or supply of electric lights or gas for the lighting of such streets, ways, and public places, and provide or contract for gasometers and any requisite apparatus and machinery: Provided that no contract for the supply of electric, gas, or other light for a term exceeding three years shall be entered into or made by any council without the consent of the Governor first had and obtained.

Council may contract
for lighting streets.
59 Vict., No. 10,
s. 143.
With addition.

285. IF, at any time before any municipality is lighted with gas, oil, electric light or otherwise, the majority of ratepayers of any street, way, or locality, or ward, desire that the same be lighted, the council may cause the same to be lighted, and may, as to one moiety of the expense to be incurred, defray the same out of the general rate and ordinary income of the municipality; but if such general rate and ordinary income are not sufficient, the council may strike a special rate, which in no case shall exceed Sixpence in the pound upon the ratable value of all property within the municipality, and of such special rate a separate account shall be kept, and the proceeds shall be applied for the purpose aforesaid; and the other moiety of the expense of lighting such street, way, locality, or ward shall be paid by the ratepayers thereof ratably, according to the ratable value of their property, and either from year to year, or for such number of years as the council may determine; and the moiety of the expense aforesaid may be collected, and shall be recoverable ratably from each of the ratepayers of the said street, way, locality, or ward by the council under the provisions herein contained for enforcing payment of rates.

Lighting rate.
59 Vict., No. 10,
s. 144.

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PART XIII.—WATER SUPPLY, FIRES, ETC.

Drainage of lakes,
etc., to the public
injury prohibited.

Local Government
Act (Vic.). s. 472.

286. WHEN in any municipality the public have right of access to the water in any lake, pool, or pond, it shall be unlawful to draw or let off the water from such lake, pool, or pond, so as to injure immediately or prospectively the enjoyment by the public of the water; and the council may take all proceedings that may be necessary to restrain anyone from offending against this section, as well as to recover any penalty not exceeding One hundred pounds imposed by any two Justices.

Power to council to
construct dams and
reservoirs.

Ibid. s. 473.

287. THE council may construct and maintain tanks, dams, and reservoirs and such tanks, dams, and reservoirs, and the water therein shall be the property of the municipality, and the council may from time to time make and repeal by-laws regulating the use thereof: Provided, that no tank, dam, or reservoir be constructed at a cost of more than Five hundred pounds, without the consent of the Governor.

Council may contract
for water supply.

Ibid., s. 477.

288. THE council may contract for any period not exceeding three years with the owner of any water-works or any other person for the supply of water, and may so contract for a period exceeding three years providing that no contract for the supply of water exceeding the period of three years, or for the purchase of any water-works, shall be entered into unless and until the same shall have been submitted to the ratepayers for approval, and such approval shall be obtained in the manner similar to that provided for the taking of a poll for and against a proposed Loan, as hereinafter set forth.

Prevention of fires.

Council may take
measures for
providing supply of
water for use in the
event of fire.

59 Vict. 10, s 147.

Procure fire engines
and other apparatus.

Organise fire bri-
gade, pay officers,
etc.

Give rewards.

Fire-alarm bells.

289. THE council may, either separately or in conjunction with any commissioners or other authorised body for supplying the municipality with water, cause such reservoirs, tanks, mains, pipes, and fire-plugs to be constructed and laid down in such public places as the council deems necessary for affording a constant and ample supply of water for use in the event of fire within such municipality; and may, either separately or in conjunction with any fire insurance company or other persons, procure fire engines, fire escapes, ladders, and other machines and apparatus made use of for extinguishing fires and saving life and property in cases of fire; and may in like manner organise and establish any fire brigade and make provision for, or contribute towards the payment of, any superintendent, officer, fireman, or other person employed therein, or grant any sum of money as rewards for meritorious conduct, or compensation for personal injury to any person assisting in the extinguishment or preventing the spread of fire, or in the rescue, or attempt to rescue, any person, animal, or goods therefrom within such municipality; and may cause fire-alarm bells to be fixed in such situations as it deems expedient.

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PART XIV.—BATHS, WASH-HOUSES, ETC.

290. THE council may from time to time purchase, erect, rent, or otherwise provide, either within the limits of the municipality, or at a reasonable distance therefrom, land and buildings to be used for baths and wash-houses, and may fit up the same with all conveniences, and from time to time enlarge, renew, and repair the same and afford the use thereof to the inhabitants of the municipality, under and subject to such by-laws as the council may make, and either without charge or at such reasonable charges as the council may order.

Council may provide baths, etc.

Local Government Act (Vic.), part s. 480.

291. A PRINTED copy, or abstract of any by-laws made by the council relating to the use of baths, shall be put up in such bath and wash-house.

Copy of by-laws to be posted.

Ibid., part s. 480.

292. THE council may cause fountains, urinals, and privies, as it deems necessary for the public convenience and health, to be made and constructed in or upon any public place, and accept and take the care and management of any fountain or water-course which is surrendered to it for public use, and cause all fountains, urinals, privies, and water-courses to be altered, enlarged, repaired, and cleansed as the council deems proper.

Council may construct public fountains and urinals.

59 Vict., No. 10, s. 148.

In part.

293. NOTHING in this Part of this Act shall affect any rights any municipality may have under any existing Acts and the Public Health Act, 1898.

Rights under Public Health Act, 1898, not affected.

Ibid., part s. 148.

PART XV.—POUNDS AND ABATTOIRS.

294. THE council may construct and erect buildings, fences, and appliances necessary for pounds and abattoirs that the council are empowered to provide, and may lease or purchase land necessary for such purposes, and may make by-laws for all purposes connected therewith.

Council may construct pounds and abattoirs.

Local Government Act (Vic.), s. 51.

PART XVI.—PROTECTION OF WORKS IN PROGRESS, ETC.

295. THE council shall, during the construction, alteration, or repair of the streets, ways, sewers, drains, or works, take precaution for guarding against accident, by protecting adjoining houses, and cause such bars or chains to be fixed across the streets or ways to prevent the passage of persons, carriages, and animals while such works are carried on, as to the council shall seem proper; and the council shall cause any sewer or drain or other works during the construction, alteration,

Precautions to be taken as to works in progress.

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alteration, or repair thereof, to be lighted during the night; and every person who takes down, alters, or removes any bars, chains, or extinguishes any light, without the consent of the council, shall for every such offence be liable to a penalty not exceeding Five pounds.

PART XVII.—WEIGHBRIDGES AND MARKETS.

Vehicles to have their weight, etc., painted on conspicuous part.

60 Vict., No. 11, s. 4.

296. THE council, or any person authorised by them, may erect weigh-bridges in any municipality, and from and after such weigh-bridge, measuring machine, or instrument has been erected and ten clear days' notice of such erection shall have been given in the *Government Gazette* and some newspaper, every vehicle carrying or constructed to carry goods or merchandise of any kind whatever in any actual use in any public place shall have the weight of such vehicle painted on some conspicuous part of the off-side thereof, such letters not being less than two inches in length and of a breadth in proportion, and the owner of any vehicle, who shall neglect to have the weight painted as aforesaid, or who shall have the same painted incorrectly, shall forfeit and pay for each offence a sum not less than Five shillings nor more than Five pounds: Provided that for every day that any such vehicle shall continue to be used, and to have the weight unpainted or incorrectly painted, the owner thereof shall be deemed to have committed a fresh offence.

Penalty for refusing to allow weighing.

Ibid., s. 5.

297. ANY person who shall, on request being made by any buyer of any goods or merchandise, officer of a municipality, or any officer of police, refuse to allow goods so carried to be weighed or measured at the nearest or most convenient weigh-bridge or measuring machine or instrument shall forfeit and pay for each offence a sum not less than Forty shillings nor more than Ten pounds.

Council may erect weigh-bridges.

Ibid., s. 6.

298. THE council may order and cause to be built and erected in any public place within the municipality one or more machines or engines, with a suitable house or other building thereto, for weighing of vehicles conveying any goods or merchandise whatsoever, or measuring the same, and may fix, demand, and recover such charges as may be considered expedient for the use of such machines or engines.

Markets.

Interpretation.

Local Government Act (Vic.), s. 482.

"The Market."

299. THE following words and expressions shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant thereto (that is to say):—

The expression "the Market" shall mean a market and the works connected therewith provided by the council.

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The word "Cart" shall include every wagon, dray, van, or other carriage or vehicle used for the conveyance of goods. "Cart."

The word "Driver" shall include the carter or other person having the care of any cart. "Driver."

The expression "the Collector" shall mean the person appointed to collect the stallages, rents, or tolls authorised by this Act, and shall include the assistants of the collector. "The Collector." *Ibid.*, s. 483.

300. THE council shall have power to do the following things or any of them within the municipality:— *Power of council to provide markets. See *ibid.*, s. 482.*

- (a.) To provide market places, and construct market houses or other conveniences for the purpose of holding markets;
- (b.) To provide houses and places for weighing carts;
- (c.) To make convenient places for weighing carts;
- (d.) To make convenient approaches to such markets;
- (e.) With the consent of the Governor, to lease markets for any term of years;
- (f.) To provide all matters and things necessary for the convenient use of such markets and weigh-bridges.

301. IT shall be lawful for the council or the lessee of any market to demand, receive, and recover from every person exposing or offering for sale or selling any corn, grain, hay, straw, meat, poultry, eggs, butter, fruit, vegetables, or other produce, products, provisions, or any cattle in any market, or who shall use or rent any stall or standing place in such market, and also from every person who shall use any building, place, or machine provided for the weighing of carts, and from every person who shall at any time use for the sale of cattle any yards or premises outside any market provided by the council for such purpose, such sums of money as and for stallage, rents, tolls, and dues, not exceeding such amounts as are authorised by general regulations to be made by the council. *Markets, etc., tolls. Local Government Act (Vic.), s. 484.*

302. THE council may demise or let to farm for any term all or any of the stallages, rents, and tolls payable in respect of any market, and also demise and let for any term any stall or standing in such market, and also to demise or let the whole of any market for any term of years. *Letting of tolls. *Ibid.*, s. 485.*

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Sales elsewhere than
in markets pro-
hibited.

Ibid., s. 487.

303. AFTER any market is opened for public use, every person other than a licensed hawker, who shall sell or expose for sale in any place within the municipality, except in his own dwelling place, shop, place of business, or any private property, or except in the market or in yards or premises licensed by the council under a market by-law, any articles or any cattle in respect of which tolls are authorised to be taken in the market, shall for every such offence be liable to a penalty not exceeding Forty shillings.

Council to provide
proper weights and
measures.

Ibid., s. 490.

304. THE council may provide, or cause to be provided, sufficient and proper weighing houses or places for weighing or measuring the commodities sold in the market, and shall keep proper weights, scales, and measures, according to the standard weights and measures for weighing such commodities as aforesaid.

Articles to be
weighed if required
by the buyer.

Ibid., s. 492.

305. EVERY person selling or offering for sale any articles in the market shall, if required so to do by the buyer, cause the same to be weighed or measured by the weights and scales or measures provided, and any person who refuses, on demand, to cause such articles to be weighed or measured shall, for every such offence, be liable to a penalty not exceeding Forty shillings.

Council to keep
machines for
weighing carts.

Ibid., s. 493.

306. THE council may provide, or cause to be provided, sufficient and proper buildings or places for weighing carts in which goods are brought for sale, and may keep therein machines and weights proper for that purpose, and shall from time to time appoint a person in every such building or place to afford the use of such machines to the public by weighing such carts, with or without their loading, as may be required.

Carts to be weighed
at weighing
machines.

Ibid., s. 494.

307. THE driver of every cart shall, at the request of the buyer or seller of goods, or his agent, take such cart, with or without the loading thereof, to the nearest weighing-machine, and shall have the same weighed; and if such cart be weighed with its load, the driver shall, if required, take such cart, after its load has been discharged, to the weighing-machine nearest to such place of discharge, and have it re-weighed without such load; and if any such driver is, for the purposes aforesaid, required to take such cart a greater distance than a quarter of a mile, including the going to and returning from such machines, the owner of the cart shall be paid, for every horse which is used in drawing such cart, sixpence for the first quarter of a mile and a like sum for every additional quarter of a mile, and such payment shall be made by the person requiring such cart to be weighed before the driver shall be obliged to take it for the purpose of having it weighed.

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308. THE driver of any cart who does not, upon being requested, and having payment made or tendered as aforesaid, take the same to such weighing-machine, or who refuses to assist in weighing the same, shall be liable to a penalty not exceeding Twenty shillings, to be recovered before two Justices.

Penalty on drivers refusing to take carts to be weighed, &c.

Ibid., s. 495.

309. EVERY driver of any cart weighed at any weighing-machine who commits any of the following offences, shall for every offence be liable to a penalty not exceeding Five pounds, or to be imprisoned for a period not exceeding one month (that is to say):—

Penalties on drivers of carts, &c., committing frauds in weighing.

Ibid., s. 496.

- (a.) If he, at the time of weighing such cart, knowingly have anything in or about the same other than the proper loading thereof ;
- (b.) If he alter any ticket denoting the weight of such cart or the loading of the same ;
- (c.) If he make or use, or be privy to the making or using, any ticket falsely stating the weight of any such cart or the loading thereof ;
- (d.) If he, after the weighing of any cart with the loading thereof, remove any part of such loading, and afterwards dispose of or attempt to dispose of, or represent as being the full loading denoted by such ticket, the residue of such loading ;
- (e.) If he, between the time when the cart and the loading thereof have been so weighed, and the time when such cart is weighed without such loading, change the wheels of such cart or make any other change upon it after being required to allow such cart to be weighed without the loading thereof ;
- (f.) If he be guilty of any other fraudulent contrivance to misrepresent the weight of any such cart or the loading thereof.

310. IF the buyer or seller of any goods brought in any cart for sale within the market or outside of the market, and which are required to be weighed as aforesaid, before weighing, do anything to such cart or its loading whereby the true weight thereof is altered, he shall, for every such offence, be liable to a penalty not exceeding Five pounds, or to be imprisoned for a period not exceeding one month.

Penalty on buyers or sellers committing frauds in weighing.

Ibid., s. 497.

311. ANY person appointed to keep any weighing-machine shall be liable to a penalty not exceeding Five pounds, or to be imprisoned

Penalties for frauds committed by the machine-keeper.

Ibid., s. 498.

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imprisoned for a period not exceeding one month in any of the following cases (that is to say):—

- (a.) If he neglect, on application, to weigh any cart with or without its loading, as the case may be, that is brought to the machine kept by him to be weighed;
- (b.) If he do not fairly weigh every such cart with or without loading, as the case may be;
- (c.) If he do not deliver to the buyer or seller of any such loading, or to any person interested therein, a ticket or account specifying the weight of such cart, with or without such loading, as the case may be;
- (d.) If he give a false ticket or account of the weight of such cart, with or without the loading thereof;
- (e.) If he weigh any cart, with or without its loading, knowing that anything has been done to such cart or the loading thereof to alter the weight thereof;
- (f.) If he assist in or connive at any fraud concerning the weighing of any cart or the loading thereof, or make or connive at making any false representation of the weight of the same.

Penalty on others
committing frauds as
to weighing.

Ibid., s. 499.

312. EVERY person who acts or assists in committing any fraud respecting the weighing or weight of any cart, or the loading thereof, shall, for every such offence, be liable to a penalty not exceeding Five pounds.

Stallages, tolls, etc.,
when to be paid.

Ibid., s. 502.

313. THE several stallages, rents, or tolls payable in respect of the market shall be paid on demand to the council, or the collector or other person authorised by the council to receive the same.

Tolls to whom paid.

Ibid., s. 503.

314. THE tolls payable in respect of weighing carts, with or without loading, shall be paid to the person authorised by the council to receive the same by the persons bringing such carts to be weighed before the same are weighed.

Tolls in respect of
cattle when due.

Ibid., s. 504.

315. THE tolls in respect of cattle or articles brought to the market for sale shall become due as soon as the cattle or articles in respect whereof they are demandable are brought into the market place, and before the cattle are put into any pen or tied up in such market place; and, if the cattle or articles be not removed within forty-eight hours after the close of the market, another toll shall become due in respect of the cattle or articles so omitted to be removed.

Stallage, tolls, etc.,
may be varied.

Ibid., s. 505.

316. DURING the continuance of any lease of stallages, rents, or tolls, or during the continuance of any license in respect of which dues are paid, the council may, with the consent in writing of the lessee,

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lessee, farmer, or licensee, as the case may be, and not otherwise, change the stallages, rents, tolls, and dues to be taken in respect of the market and for weighing, and in respect of the yards or premises for the sale of cattle.

317. EVERY person who demands and takes a greater toll than that authorised to be taken under this Part shall for every such offence be liable to a penalty not exceeding Five pounds.

Penalty on taking excessive toll.

Ibid., s. 506.

318. IF any person liable to pay any stallage, rent, toll, or dues to be taken do not pay the same when due, the council or their lessee, or any person authorised by the council or their lessee to collect the same, may levy the same by distress of all or any of the cattle or articles in respect of which such stallage, rent, toll, or dues is or are payable, or of any other cattle or articles in the market belonging to or under the charge of the person liable to pay such stallage, rent, toll, or dues, or the same may be recovered before two Justices or by action in the Local Court.

Recovery of tolls.

Ibid., s. 507.

319. ANY dispute concerning any stallage, rent, toll, or dues may be determined by two Justices in a summary way, who may make such order therein, and award such costs to either party as to them may seem proper.

Disputes, how settled.

Ibid., s. 508.

320. THE council or their lessee shall cause to be painted on boards, or to be printed and attached to boards, in legible characters, lists of the several stallages, rents, and tolls payable, and shall cause to be set up and continued in the market and in each weighing-house a board as aforesaid, containing every list relating thereto; and no stallage, rent, or toll shall be payable at any such place which is not specified on some board set up therein: Provided always that if any list is destroyed, injured, or obliterated, the stallages, rents, and tolls shall continue to be payable during such time as is required for the restoration of such list in the same manner as if such list had continued in the state required by this Act.

List of tolls, etc., to be set up.

Ibid., s. 509.

321. THE council may make such by-laws as they think fit for all or any of the following purposes (that is to say):—

By-laws relating to markets.

- (a.) For regulating the market place and the buildings, stalls, pens, and standings therein, and for preventing nuisances or obstructions therein, or in the immediate approaches thereto;
- (b.) For fixing the day and the hours during each day on which the market shall be held;
- (c.) For licensing yards and premises for the sale of cattle, and for fixing the dues to be paid for such licenses;

Ibid., s. 510.

(d.)

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- (d.) For regulating the use of the weighing-machines, and for preventing the use of false or defective weights, scales, or measures;
- (e.) For preventing the sale or exposure for sale of unwholesome provisions in the market;
- (f.) For granting permission to any person to erect weighing-machines, and the regulating and licensing thereof.

PART XVIII.—FUNDS AND REVENUES OF MUNICIPALITIES.

322. THE ordinary income of any municipality shall be made up of—

Income of municipality, how made up.
59 Vict., 10, s. 150.

- (1.) The rents, issues, profits, and dues arising from or out of any real or personal property of whatsoever description belonging to the municipality, together with any fines or penalties that are payable in consequence of any injury done to the same;
- (2.) Fees, profits, or rents arising from or out of any land, reserves, or commonages;
- (3.) All dues and fees authorised by the Governor to be exacted in respect of any building, erection, or work placed by the Governor under its control or management;
- (4.) All fees for licenses granted;
- (5.) All fees for licenses and registrations, which by any Act or Ordinance are granted, or the fees whereof are made payable to any municipality or town trust;
- (6.) All fines and penalties which by any Act or Ordinance are made payable to any municipality or town trust, excepting so much as is payable to any informer;
- (7.) All fines and penalties incurred and recovered under the provisions of the Police Act, 1892, within the municipality, excepting so much as is payable to any informer;
- (8.) All fines and penalties that are incurred and recovered under the provisions of this Act, within the municipality;
- (9.) All moneys payable in respect of any general rate struck under the provisions of this Act;

323. THE council, after making the estimate and statement, as provided in Part XX. of this Act hereof, and ascertaining the sum, if any that will be required to make up the deficiency found to exist on comparing the sum required with the estimated revenue of the municipality, independently of rates, shall order

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a rate to be struck, not exceeding One shilling and sixpence in the pound in any one year upon the annual value of all ratable land to make good such deficiency. Such rate shall be called the "General Rate."

324. ALL land shall be ratable save as excepted, that is to say:—

What shall be
ratable property.

(1) Belonging to the Crown, and not used or occupied other-

59 Vict., No. 10,
s. 149.

Page 271.

64 Vict., No. 8, Section 324.—*See* W.A. Law Reports, Vol. V., p. 28; Vol. VII., p. 245.

- (3.) Used exclusively as a public hospital, benevolent asylum, orphanage, public school, private school (being the property of a religious body), public library, public museum, or mechanics' institute; or
- (4.) Used or occupied exclusively for charitable purposes; or
- (5.) Belonging to any religious body, and occupied only as a place of residence of a minister of religion; or
- (6.) Belonging to any religious body, and occupied only as a convent, nunnery, or monastery, or by a religious brotherhood or sisterhood:

Provided always, that no buildings otherwise exempted from being rated under this or any section shall be liable to be rated by reason of being used for the purposes of any bazaar, or as a place of meeting for any religious, charitable, temperance, or benevolent object.

PART XIX.—RATES.

Division 1.—Annual Estimate.

325. (1.) THE council shall, in November in each year, prepare two statements in writing, signed by the Mayor, the one showing the various works and improvements which have been effected during the current year, and the other showing the various works and improvements which it proposes should be made and executed during the year next ensuing, and the estimated cost thereof. In the month of December in each year the council may determine how far, if at all, they will adopt the statement last mentioned. The council may also in the course of the said month estimate, as nearly as may be, the amount which will be required to meet the several liabilities of the municipality and to carry out the plan for the ensuing year determined on as aforesaid, and otherwise to carry into effect the provisions of this Act, and how far the several sources of

Council to prepare
annual estimate.

59 Vict., No. 10,
s. 149.

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of its ordinary income, independently of rates, will be sufficient for that purpose, and what sum will be required to make up the deficiency, if any, found to exist on comparing the sum required with the estimated revenue of the municipality, independently of rates.

Provisions in case of newly proclaimed municipality.

(2.) The council of any newly proclaimed municipality may exercise the powers and carry out the duties and obligations granted to and imposed upon a council as soon after their election as may be practicable, having regard to the intervals of time respectively assigned for the doing of any act under the provisions of this Act; and for the purposes of this section the council of any such newly proclaimed municipality may prepare a statement and estimate in respect of the remaining period of the then current year, and any rate struck by such council shall be payable only in proportion to the unexpired period of such year.

Division 2.—Valuation.

Annual valuation of ratable property.

See 59 Vict., No. 10, s. 15.

326. THE council may, before or in the month of December in each year, make a valuation of all ratable land upon the principles of valuation hereinafter set out, and every such valuation shall remain in force until a fresh valuation has been made.

Mode of making valuation.

59 Vict., No. 10, s. 155.

327. IN the valuation of land the following rules shall be observed:—

- (a.) The annual value of ratable land shall be deemed to be a sum equal to the full fair average estimated amount of rent at which such land might reasonably be expected to let from year to year on the assumption (if necessary to be made in any case) that such letting is allowed by law, less the amount of all rates and taxes, and a deduction of Twenty pounds per centum for repairs, insurance, and other out-goings.
- (b.) The annual value of land which is improved or occupied shall in no case be deemed to be less than Four pounds per centum upon the fair capital value of the fee simple thereof.
- (c.) When more persons than one are in separate occupation of a building erected on any portion of ratable land, each of them shall be deemed to be in occupation of a part of the land, and the value of such part shall be taken to bear the same proportion to the value of the whole of the land as the value of the part of the buildings occupied by him bears to the value of the whole of the building.

(d.)

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- (d.) The capital value of ratable land shall be taken to be the probable and reasonable price at which such land in fee simple, exclusive of improvements, might be expected to sell at the time when valued.
- (e.) The annual value of ratable land which is unimproved and unoccupied shall be taken to be not less than Seven pounds ten shillings per centum on the capital value: Provided that no land shall be considered to be unoccupied if the same be a portion of the original grant from the Crown and let or occupied with any part of the same lands belonging to the same owner that are occupied and rated.
- (f.) No allotment or separate portion of ratable land shall be valued at a capital value of less than Thirty pounds, or at an annual value of less than Two pounds ten shillings: Provided that, where the same person is the owner of two or more parcels of unoccupied land adjoining one another, such parcels shall be valued as one.
- (g.) In the case of land held under any tenure peculiar to goldfields or mining districts, the capital value of the land shall be estimated at the fair average value of land of the same quality, and held under the same tenure in the same neighbourhood, together with the value of the buildings erected thereon, but without regard to the value of any other improvements made or work done upon the land, and without regard to any metals or minerals contained or supposed to be contained in it.

328. AS soon as conveniently may be after the passing of this Act, fresh valuations shall be made in accordance with the provisions of the last preceding section.

New valuation to be made.

59 Vict., No. 10,
s. 156.

329. FOR the purpose of making valuations, the council may make the valuation itself, or may appoint a valuer or valuers, who shall not be a member or members of the council, who shall make and return a valuation in a form to be prescribed by the council from time to time, and notice of such valuation shall be given to the owner or occupier of the land valued. The valuation so returned, may be adopted by the council with or without alteration, but when adopted shall be the valuation of the council, subject to alteration as provided by this Act.

Valuers.

59 Vict., No. 10,
s. 157.

330. EVERY valuer shall, previously to acting in any valuation, make and subscribe before a Justice of the Peace a statutory declaration that he will make all valuations and otherwise perform the duties of his office faithfully and without favour.

Declaration of valuer.

59 Vict., No. 10,
s. 158.

331.

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Penalty for wilfully
incorrect valuation.
Ibid., s. 159.

331. A VALUER who makes a wilfully incorrect valuation shall be guilty of an offence against this Act, and liable for every such offence to a penalty not exceeding Twenty pounds.

Entry on premises by
valuer.
Ibid., s. 160.

332. EVERY valuer shall, for the purpose of making the valuation and return as aforesaid, have power to enter, between the hours of nine and five in the daytime, into and upon any ratable property without being liable to any legal proceedings on account thereof, and shall also have power to search in the Office of Land Titles and Registry of Deeds, and to inspect all plans, grants, transfers, certificates of Title, and memorials free of charge.

Valuer empowered to
make inquiries.
59 Vict., No. 10,
s. 161.

Queensland valuation
and Taxing Act, 1890,
s. 26.

333. ANY valuer may put to the owner, or agent of the owner, or any person in occupation or charge of any ratable lands which such valuer is authorised to value, any questions necessary to enable such valuer to state correctly the several particulars required to be stated in his valuation with regard to the land. Every person who, after being informed by the valuer of the purpose in putting such questions, and of his authority to put the same, refuses or omits to answer the same to the best of his knowledge and belief, or makes any false answer or statement in reply to any questions, shall, for every such offence, be liable to a penalty not exceeding Ten pounds.

Owner where name
not known to be
rated as owner.

Loc. Govt. Act (Vic.)
s. 255.

334. WHENEVER the name of any owner liable to be rated or charged with payment of a rate is not known to the council or to the person making the valuation, it shall be sufficient to rate, or serve notice, or to make demand upon such owner by the designation of "the owner," without stating his name.

Division 3.—General Provisions as to Rates.

The rest of this part
applicable to all
rates.

Ibid., s. 270.

Rates to be made
for particular
periods.

335. SUBJECT to the provisions hereinbefore contained with respect to rates, the following provisions shall apply:—

336. THE financial year for which a rate is declared by a council shall be for the year ending the thirty-first day of October next, after the declaring of such rate, and each financial year shall end on that date: Provided, however, that this section shall not prevent the council from making or levying during any financial year any rate authorised by this Act.

Manner of making
rate.

Ibid., s. 261.

337. WHENEVER any general rate has been struck by the council, the mayor shall, on a vacant page or pages of the rate-book, to be left blank for such purpose, enter a memorandum of such order,

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order, and shall sign the same, and publish a copy of the same in some newspaper; and thereupon the said rate shall become due and payable in moieties on the first day of January and the first day of July respectively by the owner or occupier: Provided however that if any occupier not liable as between himself and the owner to pay rates shall be compelled to pay the same, such occupier may either deduct the amount so paid from any rent then due or thereafter to become due, to the owner, or such amount

See 59 Vict., No. 10, ss. 164, 172.

Who liable to pay rates.

Page 275.

64 Vict., No. 8, Section 337.—*See* W.A. Law Reports, Vol. VII, p. 243.

Rate Book," according to the form contained in the Thirteenth Schedule to this Act, and shall enter therein all ratable land within the municipality, and shall, in the appropriate column, state the ratable value, and when necessary the unimproved value of the same; and the council shall cause to be entered in the said book the names of the occupier and owner, and other particulars indicated by the form given in the said schedule; and such book shall be made up and completed in December in each year, and the mayor shall then initial the bottom of each page therein, and shall set his initials against any alteration or erasure therein, and the said rate-book shall at all times thereafter be open to inspection. In connection with the preparation of any "Rate-book" or "Electoral List," the town clerk or his agent may search in the office of Land Titles and Registry of Deeds and inspect all grants, transfers, certificates of title, memorials, and plans free of charge:

Amendment of making up rate-book.

59 Vict., No. 10, s. 162.

Thirteenth Schedule.

Provided always, that the council may, in its discretion, instead of causing to be prepared and entered in the rate-book fresh valuations in any year, use the valuations of the last or any previous year with such alterations and additions as appear necessary.

339. IF it appears at any time to the council that any ratable land has, since the declaring of a rate, been improved by the erection or partial erection of any premises or other improvements, it shall be competent for the council thereupon, or from time to time thereafter, to amend the valuation of such ratable land.

Amending rate-book on improvement of property.

340. IF it appears at any time to the council that any land has not been valued in accordance with the provisions of this Act, or ought to have been entered in the rate-book, and have been omitted therefrom, or that the name of any person has been inserted therein as the owner or occupier of any land in respect of which some other person ought to have been rated, or that any other matter shall need rectification, the council may cause such land to be duly

Amending rate-book.

59 Vict., No. 10, s. 163.

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duly valued, or a description of the land so omitted, and the name of the owner or occupier to be inserted in the rate-book, together with the annual unimproved or capital value at which such land is assessed, and may also substitute for the name of the person erroneously inserted in such rate-book as the owner or occupier of any land rated the name of the true owner or occupier thereof, and correct any other error in the said rate-book as is requisite.

Notice of valuations.
59 Vict., No. 10,
s. 165.

Fourteenth Schedule.

341. THE council shall as soon as practicable, after making up any rate-book, cause notice to be served upon every occupier or owner whose name is inserted in such book in the form or to the effect of the form contained in the Fourteenth Schedule. Two or more properties may be included in one notice.

*Division 4.—Appeals against Rates.**(1.)—GENERALLY.*

Appeal against rates.
59 Vict., No. 10,
s. 166, in part.

342. IF any person think himself aggrieved by the valuation put upon land, whether as regards the amount thereof or the manner in which such valuation has been made or otherwise, such person may appeal against the same to the council, and from the decision of the council on any such appeal there may be an appeal to the Local Court.

Constitution of
Court of Appeal.

343. WHEN any appeal is made to the council the council shall, for the purposes of this Part of this Act, be constituted a Court, which shall consist of the mayor, who shall act as chairman, or, in his absence, of a chairman appointed by the councillors present, but no such Court shall be held unless at least one-third of the councillors, exclusive of the mayor or chairman, shall be present, and every such Court may be adjourned from time to time, and if at any time for half-an-hour after the time appointed for the holding of the Court, or adjourned Court, a sufficient number of councillors be not present, the mayor or, in his absence, any councillor may adjourn the Court. On every appeal a vote shall be taken, and the mayor or chairman shall, in addition to his vote, have a casting vote, and all questions shall be decided by a majority of the votes of the councillors present, and shall be deemed the decision of the Court.

Notice of appeal to
be given.

Local Government
Act (Vic.), s. 280.

344. EVERY appeal to the council shall be in writing, stating the grounds of the appeal, at any time within thirty days after service of the rate notice specified in the Fourteenth Schedule, and by depositing in the hands of the town clerk the amount admitted by the

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the appellant to be payable in respect of the rate. If an appeal be made to the Local Court, a further like notice shall be given within ten days to the clerk of the Local Court and to the town clerk.

59 Vict., No. 10,
s. 167.

345. IN the event of an appeal from the decision of the council to such Local Court, the appellant shall enter the appeal for hearing within ten days after the decision of the council, and at the same time pay to the clerk of the Local Court the sum of One guinea, to answer costs. The decision of the Local Court on any appeal shall be final.

Entry of appeal.
59 Vict., No. 10,
s. 167.
Ibid., s. 280.

(2.)—WHERE ONE UNDERTAKING IS RATED TO DIFFERENT
MUNICIPALITIES.

346. WHERE the lands, works, or other ratable property of any person, incorporated or other company, or association comprising one undertaking, extend continuously beyond the boundaries of any municipality so that the one undertaking is subject to more than one separate valuation for the purpose of rating, although there is no actual separation of the different parts of the land rated, such person, company, or association may appeal from the valuation thereof to the Local Court, the decision of which Court shall be final.

Special appeal from
valuation where one
property is valued
in different rating
districts.
Ibid., s. 281.

347. WITHIN the time for an appeal against the valuation for rating purposes, such person, company, or association may give notice of his or its intention to appeal, by serving the notice hereinbefore directed, and may, on the same day, although the time limited for an appeal against any valuation of any other part of the land may have expired, give a like notice of appeal, so that the valuation of different parts of the same land may be made the subject of one appeal.

Notice of appeal, if
in time as to one
district, may be given
as to other, though
time for appeal may
have expired.
Ibid., s. 282.

348. IN case of any such appeal by any company or association, a copy of the last annual account of the total receipts and expenditure of the company or association, and showing the items of receipt and expenditure under different heads, shall be served with every notice of appeal which may be given as aforesaid.

Copy of annual
accounts, etc., to be
served with notice of
appeal.
Ibid., s. 283.

349. THE costs of every such appeal shall be in the discretion of the Court, which shall in the case of consolidated appeals adjudicate separately upon the costs of the separate appeals consolidated, and every order as to costs shall be an order of the Court, and enforceable in the same manner as other orders of the Court.

Court to have juris-
diction as to costs.
Ibid., s. 287.

Division

*Municipalities.**Division 5.—Recovery of Rates.*

How rates may be recovered.

59 Vict., No. 10,
Part s. 168.

350. IF the amount payable in respect of any rate struck under this Act remains unpaid after the expiration of thirty days from the date fixed for payment thereof the council may recover such amount by action at law or by distress and sale as hereinafter mentioned, and the amount of all costs, charges, and expenses of any proceedings to recover the same shall constitute a charge, and have priority after Crown debts over every security or claim (including rent) of any description against the estate real and personal of the person liable to make payment of such amount.

Distress may be issued.

59 Vict., No. 10,
s. 169.

351. (1.) SUBJECT to the right of appeal hereinbefore mentioned, in case any person liable to pay the amount due in respect of any rate, who has been served with the notice in the form or to the effect of the Fourteenth Schedule does not pay the whole amount of the rate due in respect of any land mentioned in the said notice, or (if payable by instalments) any instalment thereof then due, at the time in the manner and at the place required by the said notice, and if such default continues for thirty days, the mayor may, at any time, and as often as occasion may arise, by warrant under his hand, distrain the goods and chattels found upon the land in respect of which the rate is payable.

(2.) In the event of any occupier not liable to pay rates, and refusing to pay the same as and by way of rent as hereinbefore provided, the mayor may, by warrant under his hand, distrain the goods and chattels found upon the land in the occupation of such occupier in respect of which the rate is payable.

(3.) At the expiration of five days from the time of such distress the mayor may cause such goods and chattels to be sold, and out of the moneys to arise therefrom may pay all costs, charges, and expenses attendant upon such distress and sale, and shall then pay the amount or the instalment thereof then due in respect of the rate for which such distress and sale are made, and pay over any surplus to the person so distrained on.

(4.) In every case in which a warrant of distress has been delivered to a collector or bailiff such collector or bailiff may levy for the costs, charges, and expenses of such warrant and of anything done thereunder, unless such costs, charges, and expenses be paid, as well as the amount due in respect of such rate.

(5.) In the event of any distress not realising sufficient to pay the amount due in respect of any rate and such costs, charges, and expenses as aforesaid, the mayor may from time to time make other and further distresses in like manner until the whole of such amount has been fully paid.

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(6.) All such costs, charges, and expenses as aforesaid shall be according to the scale mentioned in the Fifteenth Schedule hereto.

Fifteenth Schedule.

(7.) Under a warrant of distress the collector or bailiff shall not sell any personal or family clothing, bedclothes, bedding, tools, or implements of trade, nor such household furniture, cooking utensils, and effects as may be absolutely necessary for the use of the person whose goods are seized and of his family up to the value of Twenty pounds.

352. (1.) THE warrant of distress for the recovery of the amount due in respect of any rate struck may be in the form and to the effect contained in the Sixteenth Schedule hereto.

Warrant of distress.

Ibid., 170.

Sixteenth Schedule.

(2.) The mayor may include any number of persons, owner, or occupier in one such warrant, and may direct such warrant to any bailiff and his assistants for execution.

(3.) All distresses and sales made in pursuance of such warrant shall be conducted and carried out as nearly as practicable with the provisions of the law relating to distraint and sale for rent.

(4.) Every police constable shall, upon being so required by any bailiff or his assistant, aid in making a distress or sale pursuant to such warrant.

353. IN any proceeding to levy and recover, or consequent on the levying or recovering of the amount due in respect of any rate, the rate-book, duly signed or initialled by the mayor, and all entries made or purporting to be made therein or certified copies thereof, or extracts therefrom, shall be *prima facie* evidence of the contents of such book and of the striking of such rate, and of the obligation of the person charged with the amount payable in respect of such rate to pay the same without any evidence that the notices required by this Act or other provisions of this Act have been given or complied with. After three months have elapsed from the striking of any rate no defence whatsoever in any action for the purposes of levying or recovering any rate shall be allowed, save the defence of payment and the defence that the defendant was not the owner or occupier of the lands or property in respect of which such rate was struck at the time of the striking thereof.

Rate-book to be evidence.

Ibid., s. 171.

354. (1.) WHENEVER a person, who is the owner of ratable land within a municipality subdivides the same for sale he shall forthwith give notice in writing, accompanied with a plan of subdivision, to the town clerk.

Notice of subdivision or transfer of ratable land to be given.

Ibid., s. 174.

(2.) Every allotment of a subdivision of any land within a municipality shall front on a street not less than sixty-six feet in width

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width, and shall not abut on any way of a lesser width than sixteen and a half feet ; provided, however, such street and way shall have been set out after the passing of this Act.

(3.) Whenever any such person sells any ratable land, he shall give notice specifying the name and address of the purchaser to the town clerk.

(4.) Any person who fails to give notice as aforesaid shall, until such notice is given, continue to be liable for such sums accruing by way of rates upon such land, in the same manner as if he were still the owner thereof.

(5.) No plan of subdivision of any land within the limits of a municipality shall be received, registered, or deposited in any office of Titles, or any other public office for the registration and depositing of such plans, whether constituted under the Transfer of Land Act, 1893, or otherwise, unless such plan shall have been first approved of by the council, and such council may affix such conditions to the granting of such approval as it shall think fit, and the approval of such council shall be testified by the signature upon such plan of the surveyor or town clerk, or such officer thereunto for the time being authorised by such council.

(6.) Any person infringing against sub-section One shall be liable to a penalty not exceeding Fifty pounds.

Persons liable may
be resorted to in suc-
cession.

Ibid., s. 175.

355. ANY unsatisfied judgment or order of any Court for the recovery of the amount payable in respect of any rates from any person shall not be a bar to the recovery thereof from any other person liable to the payment thereof.

Occupier refusing to
give name of owner,
liable to penalty.

Ibid., s. 176.

356. IF on the request of the council or any officer duly authorised by it, the occupier of any ratable land refuses or omits to disclose to the council or such officer the name of the owner of such lands, or of the person receiving or authorised to receive the rents of the same, or if any such last-mentioned person on the like request omits to disclose to the council or such officer the name of the owner, such occupier or other person shall be guilty of an offence against this Act and liable to a penalty not exceeding Five pounds.

List of defaulters to
be published.

Ibid., s. 177.

357. THE council may cause to be published in a newspaper issued during the months of January and July respectively in each year a list of all persons who are in arrear in the payment of the amount due in respect of any rate, whether made under this Act or under any Acts hereby repealed, and of the amounts due by them respectively, and in respect of what ratable lands.

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358. IF the amount due in respect of any rate or rates struck under this Act, or any of the Acts hereby repealed, remains unpaid for the term of eighteen months, in respect of any land whatsoever, whether the owner thereof be resident in the Colony or not, the council shall cause a notice according to the form of the Seventeenth Schedule hereto to be signed by the mayor, and a copy thereof to be published in the *Government Gazette* or of a newspaper circulating in the municipality, stating the amount due and unpaid as aforesaid in respect of such land (describing the said land by the name, if any, by which the same is most usually known, and by the name of the owner, or the last-known owner of the same), and warning the owner of the same and all other persons interested therein that in default of the payment of the said amount due and all expenses caused by the non-payment of such amount within two months after the publication of the said notice, a petition will be presented to the Supreme Court as hereinafter mentioned, and if the amount and the said expenses be not paid at or before the expiration of the time specified in such notice for payment, the council may present a petition to the Supreme Court stating the imposition of the rate or rates on the said land, the non-payment of the amount due in respect of the same, and the publication of the notice as aforesaid; and any Judge of the Supreme Court, on being satisfied of the proof of such circumstances, may order the said land or such part thereof as is deemed sufficient to satisfy the said amount, and all expenses caused by the non-payment thereof as aforesaid, to be sold by some person to be named in such order by public auction, and the proceeds of such sale (after deducting the expenses thereof) to be paid to the Registrar of the Supreme Court; and the Registrar on receiving the same shall, out of such moneys, pay to the council the amount due in respect of such rates as aforesaid up to the day of such sale and all costs and expenses incurred by the council in the premises, and shall hold the overplus (if any) in trust for such person or persons as prove himself or themselves entitled to the same; and the said Judge may, at the time of making any such order, give any directions that he deems proper touching the time and place of such sale and the notices to be given thereof: Provided always, that no neglect of any such directions shall in anywise invalidate any such sale. But the person or persons neglecting the same shall be deemed guilty of contempt of Court, and may be ordered by the Court to make compensation to any person injured or damnified by any such neglect. Any notice, advertisement, or petition under this section, or any order of a Judge directing any sale as aforesaid, may include all lands in respect whereof any rate or rates is or are unpaid, and in such case the costs and expenses aforesaid shall be paid out of the proceeds of such property in such proportion as the Registrar shall determine and direct.

Land may be sold for arrears of rates remaining unpaid for eighteen months.

Ibid., s. 178.

Seventeenth Schedule.

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Certificate of sale to be given to purchaser.

Ibid., s. 179.

Eighteenth Schedule.

359. A CERTIFICATE of the sale of any such land as aforesaid, according to the form contained in the Eighteenth Schedule, shall be given by the person named in the order of the Court as the person to sell the said land or premises; and the Registrar of Titles shall, notwithstanding any of the provisions of the Transfer of Land Act, 1893, on production by the purchaser of the said land of the said certificate and of a copy of the said order, forthwith bring the land under the operation of the said Act, and issue to such purchaser a certificate of title as the proprietor in fee, or, if such land be already under the said Act, shall register the said certificate of sale as a transfer of the land therein mentioned, and make all such entries, and do all such acts, matters, and things in respect thereof as the Registrar is required to do upon a like transfer under the said Act. The purchaser of any such land as aforesaid shall pay such fees as the Registrar would be entitled to demand from any other person in respect of an application to bring land under the Act, and in respect of the same or similar entries, acts, matters, and things by this section required to be done or made.

Person ordered to sell need not have auctioneer's license.

Ibid., s. 180.

Overdraft.

Ibid., s. 182.

360. ANY person ordered to sell any such land as aforesaid may act as an auctioneer in respect of any such sale without any license.

361. ANY council, pending the collection of any rates or subsidies in aid of rates or grants which are payable by the Government, may, for the purpose of commencing, carrying on, or completing works, obtain advances from any bank by overdraft of the current account; but no such overdraft shall at any time, under any circumstances, exceed one-third of the ordinary income of the year last preceding: Provided that the Bank making such advances shall not be concerned to inquire whether the same have been obtained for the purposes set forth in this section, nor be required to see to the application of such advances.

PART XX.—BORROWING POWERS.

Power to borrow money.

Ibid., s. 183.

Purposes for which money to be borrowed.

Ibid., s. 184.

Amount to be borrowed.

Ibid., s. 185.

63 Vict. 5, s. 3.

362. SUBJECT to the provisions and for the purposes herein-after mentioned the council of every municipality may borrow money on the credit of such municipality.

363. MONEY may be borrowed for works or undertakings, or to liquidate the principal moneys owing by the municipality on account of any previous loan.

364. THE amount of money so borrowed at any time for works or undertakings shall not exceed ten times the average ordinary income of the municipality for two years terminating with the yearly balancing of accounts next preceding the *Gazette* notice

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notice of such loan hereinafter mentioned, or in the case of any municipality already indebted, the difference obtained by subtracting from ten times such average income the balance remaining unpaid of any previous loans. The amount of moneys borrowed to liquidate any loan shall not exceed the balance of principal moneys owing on account of such loan: Provided that, in the case of any new municipality, money may be borrowed by the Council for the purposes aforesaid at any time during the two years terminating with the balancing of the second year's accounts, to an amount not exceeding the net income of the municipality for the said two years as estimated by the Council.

365. WHERE any municipality is jointly liable with any other municipality in respect of any loan, but as between it and such other municipality is liable in respect of a portion of such loan only, then for the purpose of determining how much such first-mentioned municipality may borrow, only such portion of the balance remaining unpaid of such loan shall be subtracted from ten times its ordinary income as it is liable for as between it and such other municipality.

Amount which may be borrowed by a municipality jointly liable in respect of any loan.

Local Government Act (Vic.), s. 308.

366. THE works and undertakings hereinafter specified shall be deemed works and undertakings within the meaning of this part of this Act (that is to say):—

Permanent works and undertakings.
59 Vict., No. 10,
s. 186.

Altered slightly in form and arrangement.

- (1.) The opening, making, paving, or partial paving of streets and footways, the diverting, altering, or increasing the width of any streets or footways or the kerbing thereof.
- (2.) The raising, lowering, or altering of the ground or soil of any streets.
- (3.) The construction, purchase and establishment of bridges, culverts, ferries, wharves, and jetties.
- (4.) The construction, enlargement, and alteration of sewers and drains and works connected with sewerage and drainage, and the purchase or erection of machinery for the treatment of refuse.
- (5.) The construction and purchase of waterworks or the procuring of a water supply by any means whatever.
- (6.) The construction and purchase of tramways, motor-cars, gasworks, and electric light plant, or any other works for lighting the municipality.
- (7.) The construction and providing of municipal offices, pounds, abattoirs, market places, market houses, fountains, urinals, places for weighing carts and their loadings, and the making convenient approaches to markets.
- (8.) The providing of baths and wash-houses.

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- (9.) The providing of pleasure grounds, libraries, museums, and places of public resort and recreation.
- (10.) The purchase of land and materials, and the making of compensation to the owner of any land purchased for any of the foregoing purposes.
- (11.) The purchase of organs and other musical instruments.
- (12.) Erection of lamp-posts, lamps, and all necessary connections for lighting a municipality with gas or electricity or otherwise.
- (13.) The construction, purchase, or erection of plant, pans, and appliances for the removal and treatment of night-soil and refuse, or the application thereof to land for the purpose of manuring it.
- (14.) The purchase of stone quarries, the construction or erection of machinery, and plant in connection therewith.
- (15.) The purchase of steam-rollers, and apparatus and appliances for watering streets, the purchase of land or buildings, and fire-engines and any other appliances for preventing and extinguishing fires.

Provided that in respect of the matters contained in sub-sections five and six the consent of the Governor shall be first had and obtained.

Loans to be raised
on debentures.
59 Vict., No. 10,
s. 192.

Form of debentures.
59 Vict., No. 10,
s. 193, with addition.
Nineteenth Schedule.

Debentures to be
payable to bearer.
Local Government
Act (Vic.), s. 315.

Coupons payable to
bearer.
Ibid., s. 316.

367. ALL moneys borrowed by the council for the purposes aforesaid shall be raised by the sale of debentures.

368. DEBENTURES issued by any municipality shall be in the form in the Nineteenth Schedule hereto, and shall be numbered consecutively, beginning at the number one in arithmetical progression wherein the common difference is one, and shall have annexed for every payment of interest, which becomes payable after the day on which such debenture is sold, a coupon bearing the same number as the debenture.

369. EVERY debenture issued shall entitle the bearer thereof to receive payment of the principal sum named therein, on presenting such debenture on or after the day on which such debenture becomes payable, at the place at which such debenture is payable.

370. COUPONS annexed to debentures issued may be separated from the debentures to which they belong, and every such coupon shall entitle the person presenting the same, on or after the day on which the interest mentioned in such coupon is payable, at the place at which such interest is payable, to receive payment of such interest.

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371. EVERY debenture and every such coupon, whether separated or not from the debenture to which it belongs, shall pass by delivery only, without any assignment or indorsement.

Debentures and coupons to pass by delivery.

Ibid., s. 317.

372. THE principal moneys secured by every debenture issued shall be made payable on some day not more than thirty years after the date of such debenture.

When debentures to be made payable.

Ibid., s. 318.

373. BEFORE proceeding to borrow any money for the construction of works and undertakings, the council shall cause to be prepared plans and specifications and an estimate of the cost thereof, and also a statement showing the proposed expenditure of the money to be borrowed, and such statement shall be open to the inspection of the ratepayers for one month after the publication of the notice next hereinafter mentioned at all reasonable times.

Plans, specifications, and estimates to be prepared before borrowing.

59 Vict., No. 10, s. 187.

374. NO proposition for borrowing money shall be adopted by the Council unless a notice thereof has been published in the *Government Gazette* and in some newspaper, not less than one month nor more than three months before such proposition is adopted, stating the amount proposed to be raised and the rate of interest to be paid on the debentures, the times and places at which any moneys due on such debentures are to be payable, and the purposes for which the loan is to be applied; and in case such loan is to be expended in the purchase of any works or undertakings, specifying such works or undertakings; and in case the loan is to be expended in the construction of works or undertakings, stating that the plans and specifications and estimate of such works or undertakings, and the statement hereinbefore mentioned, are open for inspection at the office of the council.

Notice to be published.

59 Vict., No. 10, s. 188.

375. WITHIN one month after the publication of such notice of any proposition to borrow money (not being a proposition to borrow money to liquidate any loan lawfully incurred under the provisions of any of the Acts hereby repealed or of this Act), any twenty persons, whose names are inscribed on the municipal electoral list in force for the time being, may, in writing under their hand delivered to the town clerk, demand that the question, whether or not such loan be incurred, be submitted to the election of the ratepayers.

Power to demand vote of ratepayers.

Ibid., s. 189.

Altered.

376. WHEN any demand has been made, the votes of such ratepayers shall be taken on a day to be fixed by the mayor, not less than twenty-one nor more than twenty-five clear days after the delivery of such demand, and such day shall be notified in some newspaper, and on such a day a poll shall be taken of all ratepayers whose names are on the municipal electoral lists for and against the proposed

Vote of ratepayers, how taken.

Ibid., s. 190.

Altered.

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Twentieth Schedule.

proposed loan ; and at the taking of such poll papers in the form in the Twentieth Schedule hereto shall be used instead of ballot or voting papers ; at the taking of such poll all the provisions hereinbefore contained with reference to the taking of the poll at the election of a mayor shall apply as nearly as may be.

Power to council under certain circumstances to proceed to raise money.

Ibid., s. 191.

Altered as to proportion.

377. IF no demand is made that the question whether or not such loan be incurred be submitted to the election of the ratepayers, or if, on a poll being taken, a majority of persons voting do not forbid the council to proceed further with such loan, the council may proceed to make a special order for borrowing money for the purposes mentioned in such notice.

All debentures valid under certain circumstances.

Ibid., s. 194.

378. NOTWITHSTANDING anything hereinbefore contained, if the council publish a notice of their intention to borrow money and are not forbidden by the ratepayers from proceeding further with such loan, the council may issue debentures, and such debentures shall be good and valid as against such municipality.

When money borrowed, council to strike special rate.

Ibid., s. 195.

379. WHENEVER any money has been borrowed by any municipality, and so long as any such money remains unpaid, the council, from time to time, shall strike such special rate not exceeding One shilling and sixpence in the pound upon the annual value of all ratable land as the council deem necessary to enable it to pay the interest on the money borrowed, and also such percentage of the principal sum as is named in the debentures issued to raise such money for the purposes of a sinking fund.

Application of special rate.

Ibid., s. 196.

Altered.

380. A SEPARATE account shall be kept of such special rate, which shall be applicable solely to the payment of the interest secured by the said debentures and the formation of a sinking fund. If in any year the proceeds of such special rate are in excess of the sum required for those purposes, such excess shall be kept in hand towards the payment of the next year's interest. If in any year the proceeds of such rate are insufficient for the purpose aforesaid, the council shall make good such deficiency out of the ordinary income of the municipality, but may, in any succeeding year, when the proceeds of the said rate are in excess of the requirements, repay itself the amount so paid out of the ordinary income.

All provisions of Act applicable to general rate to be applicable to special rate.

Ibid., s. 197.

381. ALL the provisions of this Act with reference to making or striking the general rate and levying and recovering the amount due in respect of the general rate and all arrears of the same, shall be equally applicable to any special rate, and the amount due in respect of any such special rate made or struck under this Act, or any of the Acts hereby repealed, with this proviso: that,

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that, in addition to the memorandum required to be made in the rate-book and initialled or signed by the mayor, ordering such rate to be struck, the mayor may, in the case of any special rate, enter in the rate-book a statement in writing setting forth the circumstances which justify the striking of such rate, and initial or sign the same, and publish a copy of the same, together with a copy of the order aforesaid. If this is done, then, in any proceeding taken to enforce payment of the amount due in respect of any such special rate, such statement initialled or signed as aforesaid shall be *prima facie* evidence of the truth of the facts therein set forth.

382. (1.) ANY municipality having incurred a loan under the provisions of this Act, a sinking fund shall be formed to liquidate the same in manner following:—

Sinking fund.
Ibid., part s. 198.

(2.) The council shall, in every year after the issue of the debentures for such loan, cause a sum (being such percentage of the principal sum secured by such debentures as is named therein, not being at any time less than Two pounds per centum of such principal sum) to be invested in the purchase of any of such debentures, or in the purchase of consols, or in the Government stock of this Colony, or of any British Colony in Australasia, or on first mortgage of freehold land, in the joint names of the Colonial Treasurer and of the municipality, and placed to an account intituled as of such loan, until the complete liquidation of such loan.

383. EVERY council may purchase any debentures issued by the council under the provisions of this Act or any of the Acts hereby repealed, and the ordinary income of the municipality shall be applicable to such purposes.

Power to purchase
debenture.
Ibid., s. 199.

384. UNTIL such time as the council can purchase debentures, consols, or Government stock, or invest in first mortgage as aforesaid, they may place the moneys of the sinking fund at fixed deposit in any of the banks doing business in this Colony.

Sinking fund may be
placed at fixed
deposit.
Ibid., s. 200.

385. ALL interest on any debentures, consols, or stock, interest on mortgage, or fixed deposit for the time being standing to the credit of any account forming any sinking fund, shall be invested in the purchase of debentures, consols, or stock, or otherwise as aforesaid, or until such investment placed upon fixed deposit as aforesaid in the names and to the account as aforesaid.

Investment of inter-
est of sinking fund.
Ibid., s. 201.

386. WHEN debentures are about to fall due, any consols or stock comprised in any sinking fund formed to liquidate the same may be sold out, and the proceeds paid into such bank to the account of

Application of sink-
ing fund to meet
debentures.
Ibid., s. 202.

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of such person or persons as the Colonial Treasurer and the council may determine, and the money so paid into such bank shall be paid out to the bearers or registered holders of such debentures on presentation and delivery up of the same.

Power to Treasurer to transfer sinking fund after repurchase of debentures.

Ibid., s. 203.

387. ON the presentation on behalf of the municipality of any debentures, and all coupons not then payable belonging thereto, together with a certificate signed by the Auditor General, stating what amount of consols, stock, and deposits credited to any such account as aforesaid will be sufficient to secure the holders of all debentures secured upon consols, stock, or deposits other than the debentures so presented, and upon the cancellation of such debentures and coupons, the Colonial Treasurer may join in transferring to the municipality any balance of consols, stock, or deposits credited to such account, and over and above the amount mentioned in such certificate.

When Treasurer may transfer.

Ibid., s. 204.

388. EXCEPT for the purposes and subject to the conditions herein provided, or if ordered so to do by the Supreme Court, the Colonial Treasurer shall not join in transferring any debentures, consols, stock, mortgages, or deposits forming part of any such sinking fund as aforesaid.

Priorities of debenture holder.

Ibid., s. 205.

389. IF any municipality has incurred more loans than one, every sinking fund formed under the provisions hereof shall be applicable in the first instance in liquidation of the debentures and of all interest thereon which such fund was formed to liquidate; and save as aforesaid, both as to principal and interest, the holders of debentures, by the sale of which different loans were raised, shall have priority according to the notices of such loans published as aforesaid, and the holders of debentures, by the sale of which the same loan was raised, shall stand as between themselves on an equal footing.

Power to appoint receiver.

Ibid., s. 206.

390. IF any municipality makes default in payment of any principal money or interest secured by any debenture or coupon, or in forming a sinking fund to liquidate any debentures as hereinbefore directed, the Supreme Court may, on the petition of the holder of any debenture, appoint some person or persons, not exceeding three, to be a receiver or receivers of the whole annual ordinary income of such municipality and of the special rate levied in respect of any loan as aforesaid. Every such receiver shall be deemed an officer of and shall act under the direction of the Supreme Court.

Power to remove receiver.

Ibid., s. 207.

391. THE Supreme Court may from time to time remove any receiver appointed, and on the death or removal of any such receiver, may appoint some other person in his place.

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392. THE receiver or receivers appointed shall be entitled to receive and recover any part of the income (whether such part forms portion of the annual ordinary income of such municipality or of any special rate levied in respect of any loan as aforesaid) of the municipality that is outstanding at the time of his or their appointment, and to receive and recover any part of such income that becomes due and payable as fully and effectually as the council might have done; and shall have and exercise all the powers of the council as to striking rates. For the purpose aforesaid, such receiver or receivers shall be deemed to be the council of the municipality, and may exercise all the powers thereof.

Power of receiver.
Ibid., s. 208.

393. EVERY such receiver shall be entitled to such commission as remuneration for his services as the Supreme Court directs.

Commission to receiver.
Ibid., s. 209.

394. THE Supreme Court may order the Colonial Treasurer and the council to transfer all consols, stock, mortgages, and fixed deposits standing in their names, and forming any such sinking fund into the name or names of the receiver or receivers.

Transfer of sinking fund to receiver.
Ibid., s. 210.

395. SUCH receiver or receivers shall hold all moneys received and recovered, and the proceeds of all consols, and stock, mortgages, and all fixed deposits forming any sinking fund received by him or them, after payment of costs and expenses, for the benefit of all holders of debentures of the municipality, according to their respective priorities and subject thereto for the municipality.

Purposes for which receiver is to hold moneys.
Ibid., s. 211.

396. THE council shall cause a separate account to be kept in some bank for each separate loan, and if there is any surplus the council may apply the same in the repurchase of any debentures, or in the purchase of consols or stock or other securities, or may place the same upon fixed deposit, or expend the same on other works: Provided that if at any time it shall be found inadvisable, inexpedient, or unnecessary to expend any such moneys for any of the purposes for which the same were borrowed, it shall be lawful for the council, by resolution to be passed by an absolute majority of the council, and confirmed at the next meeting of ratepayers, to expend such moneys on other works and undertakings.

Separate account to be kept of every loan.
Ibid., s. 212, much altered.

397. IF after the liquidation of any loan there is any balance of stock to the credit of the sinking fund, or of the proceeds thereof, the same shall be applicable as part of the municipal fund.

Balance of loan, how applicable.

PART XXI.—ACCOUNTS AND AUDIT.

Division 1.—Keeping and ordinary Audit of Accounts.

398. THE council shall cause books to be kept, and true and regular accounts to be entered therein of all sums of money received and

Book of account and inspection.

59 Vict., No. 10, s. 213, much omitted.

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and paid on account of and for the municipality, and of the several purposes for which such sums of money have been received and paid; the said books shall, at all reasonable times, be open to the inspection of any councillor, ratepayer, or creditor of the municipality without fee or reward.

Bank account.

Ibid., s. 181.

399. ALL moneys of the council amounting to Twenty pounds and upwards shall, within seven days, or as the council directs, after they have come into the hands of the treasurer or any other officer of the council, be paid into such bank and in such manner as the council from time to time appoints and directs for that purpose; and no such money shall be drawn out of such bank except by a cheque signed by the mayor and treasurer, and countersigned by the town clerk, and no person shall at one and the same time hold the offices of mayor and treasurer of a council.

Power to auditors to require production of papers, etc.

Act 1293 (Vic.), s. 96.

400. THE council and every officer shall produce to any auditor for his inspection all books, vouchers, papers, and documents relating to the municipality; and every officer shall from time to time furnish to any auditor, as and when he may require the same, a statement in writing of all moneys received by such officer on account of such municipality, and every bank at which any municipality has an account shall, when required, furnish to any auditor full particulars of every such account.

Book to be entered up regularly.

Ibid., s. 97.

401. IT shall be the duty of the council to keep the books and accounts of the municipality entered up and ready for the inspection of the auditors at all times during the year; and, if upon examination by any auditor it is found that such books or accounts are incomplete, and that the officer, whose duty it is, has allowed the said books and accounts, or any of them, to remain in arrear for a longer period than twenty-eight days, the auditor shall report the same to the mayor, and if the mayor, after giving the officer charged with such neglect an opportunity of being heard, is satisfied that such neglect has taken place, without reasonable excuse, he shall have power to order the officer responsible to be fined a sum not exceeding Five pounds for every such offence, and such sum shall be deducted by the council from the salary due or becoming due to such officer, and be paid into the municipal fund.

Half-yearly balance and audit.

59 Vict., 10, s. 214.

402. THE council shall cause the accounts of the municipality to be balanced half-yearly up to the thirtieth day of April and the thirty-first day of October in each year; and, after each such balancing, the auditors shall audit the said accounts as soon as conveniently may be; and the council shall, by the town clerk or other proper officer, produce and lay before the auditors the accounts so balanced as aforesaid, with all vouchers in support of the same,
and

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and writings in their custody or power

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64 Vict., No. 8, Section 402.—*See* W.A. Law Reports, Vol. VII., p. 281.

provided.

403. AN annual statement or summary, showing the financial position of the municipality at the end of October in each year, shall be prepared by the council, showing on the one side the amount received from each source of ordinary income, and from the special rate (if any) struck and on the other the various matters and things on which such amounts have been expended; and in the case of any municipality that has borrowed any money during the year ending on the thirty-first day of October in any year, or has brought forward any borrowed money from the preceding year, a statement shall be made, showing on the one side all moneys so received or brought forward, and on the other the application of all such moneys as have been expended, and the amount remaining unexpended and to be carried forward; in the case also of any such municipality, a statement shall be made, showing on the one side the amount received from any special rate levied in respect of any loan as aforesaid, and on the other the application thereof, and also a statement with respect to each sinking fund, showing as to each of such funds the amount standing to the credit of the Colonial Treasurer and municipality. These several statements shall be audited by the auditors, and if found correct shall be certified as correct under the hand of the auditors.

Annual financial statement.

Ibid., s. 216.

Altered.

404. THE auditors shall, if they find any account or statement submitted to them for audit to be erroneous or deficient in any particular, unless such error or deficiency be at once made good by the person or persons liable to make it good, instead of signing such account or statement, forthwith make to the mayor a statement showing in what respects they have found such account or statement erroneous or deficient, and shall publish such statement in the *Government Gazette*.

Duty of auditors.

Ibid., s. 217, much altered.

405. THE council may in any year expend out of the ordinary income of the municipality any sum not exceeding three per cent. of such ordinary income, for any purpose connected with the municipality, and for the benefit or credit thereof, although such purpose be not within the scope of this Act. Subject to the foregoing provision, the whole of the ordinary income of any municipality shall be applicable solely to doing or carrying out those things which by this Act the council is empowered or required to do or carry out.

Power of Council as to expending its income.

Ibid., s. 218.

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Duty of auditors.

Ibid., s. 219.

406. IN auditing the accounts of any municipality, the auditors shall disallow any expenditure which is not authorised by this Act, and may refer to the minutes of proceedings kept by such council to ascertain by whom such expenditure was authorised: And the individual members of the council, who have sanctioned any such expenditure as has been disallowed, shall be personally liable to individually and collectively make good to the council the amount or amounts so spent: And the auditors shall certify to the council the amount of any unauthorised expenditure, and the names of the members who are liable to make good the same as aforesaid; and in case the said sums are not made good to the council, to the satisfaction of the auditors within seven days after such certificate is given, the auditors shall, in the name and on behalf of the council, sue for the same by action of debt in any Court, and shall, if it appears to such Court that such expenditure was not authorised, or was in contravention of any provision of this Act, be entitled to judgment for the sum or sums so spent by any person or persons sued, who appear to have concurred in such expenditure, and the amount so recovered by the auditors in any such action shall be forthwith paid over by them to the council. In any such action the minutes of the proceedings kept by the council shall be *prima facie* evidence of any facts therein stated, if it does not appear from the minutes what particular members of the council concurred in any particular expenditure, every member shall be deemed to have concurred until he proves the contrary.

Division 2.—Special Audit.

Special auditors may be appointed.

59 Vict., No. 10, s. 220.

407. THE Governor may, if he thinks fit, by notice in the *Government Gazette*, and upon the deposit of Twenty-five pounds as security for costs and expenses at the request, in writing, of not less than fifty ratepayers, or of any creditor or creditors of the municipality, appoint for any municipality auditors who shall be called "special auditors," and such special auditors shall, upon a day to be fixed by such auditors, not less than thirty days from the date of their appointment, proceed to hold a special audit of the accounts of the municipality for such period and purpose as the Governor may direct, and such special auditors shall forthwith notify in the *Government Gazette* and in some newspaper the fact of their appointment and the day so fixed, and the special auditors shall attend at the office of the council on the day so fixed for such special audit and one or both of such special auditors may at any time be removed by the Governor and another or others appointed in his or their stead.

Council to cause accounts to be

408. WHEN any day has been appointed, the council shall in like manner, as in case of ordinary annual audit, cause their
accounts

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accounts to be balanced to a day not less than one month before the day so appointed, and a full statement and account to be drawn out, and to be laid before the special auditors, as in the like case required with respect to an audit as hereinbefore provided. and the council shall, by the town clerk, produce and lay before the special auditors all books, accounts, vouchers, papers, and writings whatsoever in their custody or power which may be called for by the special auditors. The special auditors shall forthwith, after such special audit, report to the Minister the result thereof, and the Governor may, within three months thereafter, confirm the same by notice in the *Government Gazette*.

balanced for special audit.

See *ibid.*, s. 221.

Local Government Act (Vic.), s. 368.

Report of special auditors.

409. EVERY such report, when so confirmed, shall be conclusive evidence in all Courts, and for all purposes whatsoever of the fact of the misapplication of the money therein mentioned, of the amount so misapplied, and of the liability of the councillors mentioned in such report as having concurred in the misapplication of money. The sum or sums of money mentioned in such report may be recovered in any Court of competent jurisdiction, from any one or more of the councillors mentioned in such report at the suit of a law officer or of any of the ratepayers of the municipality the accounts whereof have been audited, and such sum or sums so recovered shall be paid into the municipal fund or any other fund or account to which the same may belong.

Proceedings on confirmation.

Recovery of sum misapplied.

410. THE special auditors, before reporting, may appoint a time and place for hearing such explanations as may be offered by or on behalf of the council or any member thereof.

Special auditors to hear explanation.

Local Government Act (Vic.), s. 371.

411. THE costs and expenses of and connected with every special audit shall be paid either wholly or partly out of the moneys deposited as security, or either wholly or partly out of the municipal fund, as the Governor shall by order direct; and every order directing payment to be made out of the municipal fund shall, when published in the *Government Gazette*, be conclusive evidence of the right of the person or persons named therein to be paid out of such fund the sum therein mentioned, and such sum may be recovered by such person or persons from the council before two Justices or a Court of competent jurisdiction; and the Governor may direct that the whole or any portion of the money deposited as security be returned to the persons depositing the same.

Costs of special audit.

Ibid., s. 372.

PART XXII.—LEGAL PROCEEDINGS AND ENFORCEMENT OF ACT.

Division 1.—Legal proceedings by and against municipalities.

412. NO person shall be entitled to recover damages against any municipality in respect of any loss or injury sustained by himself

Conditions under which actions for

OR

Municipalities.

negligence, etc., may
be brought.

See 59 Vict., No. 10,
s. 223.

or any other person or any property by reason of any accident upon or while using any street, bridge, ferry, wharf, or jetty under the control of the council, or in respect of any tort, unless the following conditions are complied with, or in case such last-mentioned person or the then owner of such property may have died within the time hereinafter allowed for giving notice by the one of such conditions which is numbered (1), the one of such conditions which is numbered (4) is complied with:—

- (1.) That notice in writing, stating the name and address of the person injured, or of the owner of such property, the nature of the accident, and the time and place at which it took place be given to the council by or on behalf of the person injured, or by or on behalf of the owner of such property, within twenty-one days after the occurrence of the accident, or the plaintiff shows some sufficient reason why the person injured, or the owner of such property was unable to give such notice.
- (2.) That in case of injury to the person, the person injured permit himself to be examined by any legally qualified medical practitioner appointed by the mayor, and, if in a fit state so to do, answer fully such reasonable inquiries of such medical practitioner as may be necessary to enable him to ascertain the extent of the injury.
- (3.) That in case of injury to property, the property injured, if it be possible so to do, be produced for inspection of any person appointed by the mayor or town clerk.
- (4.) That one month's notice, in writing, of any action be given to the council, setting forth the particulars of the demand so far as the same can be reasonably supplied, and that the action be begun within six months thereafter.

Service of notice and
legal proceedings.

Local Government
Act (Vic.), s. 519.

Power to stay action
when conditions not
complied with.

59 Vict., 10, part
s. 223.

413. ANY summons, or notice, or any writ, or other proceeding at law requiring to be served upon any municipality may be served by being given personally to the town clerk.

414. IF any action for any such cause as aforesaid is commenced by any plaintiff when the conditions hereinbefore contained have not been complied with, and the council is able to prove by affidavit to the satisfaction of the Court in which the action is pending that such is the case, such Court may order such action to be stayed.

Documents, how
authenticated.

Local Government
Act (Vic.), s. 520.

415. EVERY order, summons, notice, or other document requiring authentication by the council may be sufficiently authenticated without the common seal of the municipality if signed by the mayor or town clerk.

416.

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416. NO fee shall be payable on the issue of any summons on the complaint of any council to enforce payment of any rates or any offence against this Act or any by-law thereof.

Exemptions from fees.

Ibid., s. 521.

417. IF any person against whom any council has any claim or demand takes the benefit of any Act for the relief of bankrupts the town clerk, in all proceedings against the estate of such insolvent or under any adjudication, sequestration, or act of bankruptcy against such bankrupt, may represent the council and act in their behalf in all respects as if such claim or demand had been the claim or demand of such town clerk.

Proceedings in estates of bankrupts, etc.

Ibid., s. 522.

418. IN all proceedings in any Local Court, or Court of summary jurisdiction, the town clerk may represent the council in all respects as though he had been the party concerned.

Proceedings in Local Court.

Ibid., s. 523.

419. ANY municipality against whom any action of tort is brought in the Supreme Court may, by its town clerk, make an affidavit that the plaintiff has no visible means of paying the costs of the defendant council should a verdict not be found for the plaintiff, and thereupon a Judge of the Supreme Court may make an order that unless the plaintiff shall, within a time to be named in such order, give security for the defendant's costs to the satisfaction of the Registrar of the Supreme Court, all proceedings in that Court shall be stayed, and in the event of the plaintiff being unable or unwilling to give such security, the action shall be remitted for trial before a Local Court to be named in the order, and thereupon the plaintiff shall lodge the original writ and pleadings (if any) which have been delivered and the order with the clerk of such Local Court, who shall appoint a day for the trial of the action, notice whereof shall be sent by post or otherwise by the clerk to both parties or their solicitors and the action, and all proceedings therein shall be tried and taken in such Court as if the action had originally been commenced therein; and the costs of the parties in respect of the proceedings, subsequent to the order of the Judge of the Supreme Court, shall be allowed according to the scale of costs for the time being in use in the Local Courts, and the cost of the order and all proceedings previously thereto shall be allowed according to the scale of costs for the time being in use in the Supreme Court. In the event of any action being so remitted before the pleadings have been closed, the Local Court may order particulars or further particulars of the claim or defence to be delivered.

Action brought in Supreme Court may be removed to Local Court in certain cases.

See 58 Vict., No. 13, s. 16.

420. THE town clerk shall be reimbursed out of the municipal fund all damages, costs, charges, and expenses to which he may be put, or with which he may become chargeable by reason of anything done,

Reimbursement of officer.

Local Government Act (Vic.), s. 524.

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done, performed, suffered, or incurred by him for and on behalf of the municipality by reason of anything contained in either of the two last preceding sections.

*Division 2.—Notices, Demands, and Remedies to, upon,
and against Owners and Occupiers.*

Notices of demands,
how served on
owners.

See 59 Vict., No. 10,
s. 227.

421. EVERY notice or demand which by this Act is required to be given to the owner or occupier, or both, of any building or land, may be addressed and sent through the post to the owner or occupier of such building or land, or may be served on the owner or occupier thereof, or left with some inmate of his abode, or if there be no occupier, shall be put up on some conspicuous part of such building or land, and it shall not be necessary in any such notice or demand to name the owner or occupier of any such building or land.

Operation of notice,
etc.

See 59 Vict., No. 10,
s. 228.

422. ALL notices served on or given to any owner or occupier shall be binding on all persons claiming by, from, or under such owner or occupier.

Expenses recover-
able from occupier
may be recovered in
a summary manner,
and in default of
occupier may be
recovered from the
owner.

59 Vict., No. 10,
s. 224.

423. ANY expenses incurred by the council in doing any matter or thing which by this Act the occupier of any premises is required to do, may be recovered from such occupier in a summary manner by proceedings before a Court of summary jurisdiction; and in the event of the council being unable to obtain payment thereof by any such occupier, or if such occupier is not known or cannot be found within the Colony, or it should be returned to a warrant of distress that there are not goods or chattels of such occupier sufficient to pay the sum for which such warrant of distress has issued, such expenses may be recovered in like manner against the owner of the premises.

Occupier may act in
certain cases on de-
fault of owner.

Local Government
Act (Vic.), s. 526.

424. WHENEVER default is made by the owner of any building or land in the execution of any work required to be executed by him, the occupier of such building or land may, with the approval of the council, cause such work to be executed, and the expense thereof shall be repaid to such occupier by the owner of the building or land, and such occupier may deduct the amount of such expense out of the rent from time to time becoming due from him to such owner, or recover same in a summary way before two Justices in petty sessions or Court of competent jurisdiction.

Expenses, how re-
coverable from
owner.

59 Vict., No. 10,
s. 225.

425. IF the owner of any building or land made liable for the repayment to the council of any expenses incurred, or to be incurred, or paid by him do not, as soon as the same becomes due and payable from him, repay all such expenses to the council, the council may recover the same from such owner before two Justices in

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in petty sessions or Court of competent jurisdiction; and any order made by the Justices in this behalf against any owner (who, if he be not known, need not be named but only described as the owner) may be enforced by warrant of distress against the goods and chattels of such owner, or if such owner be not known, or be not resident within the Colony, or it be returned to a warrant of distress that there are not goods and chattels of such owner sufficient to pay the sum for which such warrant of distress has issued, the council may at any time within twelve months of such expenses being incurred obtain a warrant from any two Justices (which warrant such Justices are hereby empowered to issue) authorising such council, by any officer authorised by such council in that behalf, to enter upon and take possession of the land or premises or any part thereof in the name of the whole upon which the said expenses have been incurred, and to hold the same until out of the rents and profits thereof such expenses, together with all expenses incurred in the recovery thereof, have been paid, any lease, tenancy, sale, mortgage, charge, or other encumbrance created by such owner notwithstanding: Provided always, that where such land or premises are under the provisions of the Transfer of Land Act, 1893, such council shall, within six weeks of the issue of such warrant as aforesaid, direct a memorandum of the issue of such warrant to be indorsed upon the certificate of title, whereof such land is the subject, and thereupon such indorsement shall be made by the Registrar of Titles and shall operate as a preferential encumbrance or charge upon such land.

426. NO occupier of any building or land shall be liable to pay more money in respect of any expenses charged on the owner than the amount of rent due from him for the premises in respect of which such expenses are payable at the time of the demand made upon him, or which may at any time after such demand and notice not to pay the same to the owner have accrued and become payable by him unless he neglect or refuse, upon application made to him for that purpose by the council, truly to disclose the amount of his rent, and the name and address of the person to whom such rent is payable, but the burden of proof that the sum demanded of any occupier is greater than the rent which was due by him at the time of such demand, or which has since accrued, shall lie upon such occupier: Provided further that nothing herein contained shall be taken to affect any special contract made between any such owner and occupier respecting the payment of the expenses of any works or rates.

Occupier not liable
beyond rent due or
accruing due.

Local Government
Act (Vic.), s. 529.

427. IF the occupier of any building or land prevent the owner thereof from carrying into effect, in respect to such building or land, any of the provisions of this Act after notice

Occupier obstructing
owner in carrying
Act into effect.

of *Ibid.*, s. 531.

Municipalities.

of his intention so to do has been given by the owner to such occupier, any Justice, upon proof thereof, may make an order, in writing, requiring such occupier to permit the owner to execute all such works with respect to such building or land as may be necessary for carrying into effect the provisions of this Act, and if, after the expiration of ten days from the date of such order, such occupier continues to refuse to permit such owner to execute such works, such occupier shall, for every day during which he so continues to refuse, be liable to a penalty not exceeding Five pounds, and every owner, during the continuance of such refusal, shall be discharged from any penalty to which he might otherwise become liable by reason of his default in executing such works.

Division 3.—Enforcement of the Act.

Power of entry by
officers of council.
Ibid., s. 532.

428. THE council shall have power by themselves or their officers to enter at all reasonable hours in the day time into and upon any building or land within the municipality for the purpose of executing any work or making any inspection authorised to be executed or made by them without being liable to any legal proceedings on account thereof: Provided always, that except herein otherwise provided, the council or their officers shall not make any such entry upon occupied premises until after notice for that purpose has been given to the occupier.

Penalties for
obstructing the
execution of this Act.
See *ibid.*, s. 533.
59 Vict., No. 10,
s. 229.

429. WHOSOEVER wilfully obstructs any inspector, or any member or officer of the council acting under the authority thereof, or any officer or person duly employed in the execution of this Act, or incites any other person so to do, or destroys, pulls down, injures, or defaces any board, placard, or notice made or published under this Act, shall be guilty of an offence against this Act and liable for every such offence to a penalty not exceeding Five pounds; and if the occupier of any premises or any other person whomsoever wilfully prevents, or attempts to prevent, the owner thereof from obeying or carrying into effect the provisions of this Act or of any by-law made hereunder, he shall be guilty of an offence against this Act and liable to a penalty not exceeding Five pounds for every such offence.

Council may direct
prosecutions, etc.
Local Government
Act (Vic.), s. 534.

430. THE council may order proceedings to be taken for the recovery of any penalty, and for the punishment of any person offending against the provisions of this Act, and may order the expenses of such prosecution or other proceedings to be paid out of the municipal fund.

Penalty for non-
performance of pro-
visions of this Act.

431. WHERE any matter or thing is by this Act, or by any by-law, order, or notice, made and published under the authority
hereof

Municipalities.

hereof, directed or forbidden to be done, or where any authority is given by this Act to any person to direct any matter or thing to be done, or to forbid any matter or thing to be done, and such act so directed to be done remains undone, or such act so forbidden to be done is done, in every such case every person offending against such direction or prohibition shall be deemed guilty of an offence against this Act.

59 Vict., No. 10,
s. 230.

Ibid., s. 535.

432. EVERY person guilty of an offence against this Act shall, for every such offence, be liable to the penalty expressly imposed by this Act, or by any by-law in force in that behalf, and, if no other penalty be imposed, to a penalty not exceeding Twenty pounds, payment of which may be enforced under the provisions of 14 Victoria, No. 5.

Penalty for offences.

59 Vict., No. 10,
s. 230.

Ibid., s. 536.

433. EVERY penalty payable in respect of any offence against this Act may be recovered in the manner expressly named in this Act, or in any by-law lawfully in force in that behalf, and in case no manner of recovering the same is so named, before any Court of summary jurisdiction.

Recovery of penalties.

59 Vict., No. 10,
s. 231.

Local Government
Act (Vic.), s. 537.

434. ALL penalties and other sums recovered at the instance or on behalf of the municipality under the provisions of this Act shall, unless otherwise herein provided, be paid to the council, and shall become the property of and part of the ordinary income of the municipality.

Penalties to be paid
to council.

59 Vict., No. 10,
s. 238.

See *ibid.*, s. 538.

435. ALL penalties recoverable against any municipality shall be payable to any party aggrieved, who may sue for the same.

Application of penalties recovered
against municipalities.

Ibid., s. 539.

436. ALL offences against this Act, or any by-law made hereunder, or under any of the repealed Acts, other than such as are declared to be misdemeanours, shall be punishable upon conviction before any Court of summary jurisdiction; and all informations and proceedings in respect of such offences shall be heard and determined, and the penalties, fines, and forfeitures in respect of the same shall be enforced, and all sums of money payable under this Act, the recovery whereof is not otherwise provided for, shall be recoverable according to the provisions of the Ordinance No. 5, passed in the fourteenth year of Her present Majesty.

Jurisdiction and
recovery of penalties.

59 Vict., No. 10,
s. 231.

437. WHEN the council borrow any money, as on the credit of the municipality, which the municipality is not legally bound to pay, or when any council purport or attempt to bind the municipality to pay any money borrowed, which the municipality is not legally

Councillors borrowing
illegally liable to
penalty.

Ibid., s. 540.

Municipalities.

legally bound to pay, every councillor who consents thereto shall, for every such offence, in addition to any liability to repay such money, be liable to a penalty of Fifty pounds, to be recovered with full costs of suit by any person who may sue for the same in any Court of competent jurisdiction.

Proof in legal proceedings.

59 Vict., No. 10,
s. 232.

438. IN any prosecution or other legal proceeding under the provisions of this Act, or any by-laws or regulations hereunder, instituted by or under the direction of the council, no proof shall be required:—

- (1.) Of the persons constituting the council or the extent of the municipality ; or
- (2.) Of any order to prosecute, or of the particular or general appointment of any town clerk, surveyor, or other officer of the council ; or
- (3.) Of the authority of any town clerk, surveyor, or other officer of the council to prosecute ; or
- (4.) Of the appointment of the mayor or town clerk or surveyor ; or
- (5.) Of the presence of a quorum of the council at the making of any order, or of the doing of any act, until evidence is given to the contrary.

Proof of ownership or occupancy.

59 Vict., No. 10,
s. 233.

439. IN any legal proceedings under this Act, in addition to any other method of proof available:—

- (1.) Evidence that the person proceeded against is rated as owner or occupier in respect of any land to any general, special, or extra rate for the municipality within which such land is situated ; or
- (2.) Evidence by the certificate of the Registrar of Deeds, or his deputy, that any person appears from any memorial of registration of any deed, conveyance, or other instrument, to be the owner of any land, or evidence by a certificate signed by the Registrar of Titles, or any assistant or deputy registrar, and authenticated by the seal of the Office of Titles, that any person's name appears in any register book kept under the Transfer of Land Act, 1893, as owner of any land shall, until the contrary is proved, be evidence that such person is the owner or occupier, as the case may be, of such land.

440.

Municipalities.

440. ALL Courts and all persons having by law, or by consent of parties, authority to hear, receive, and examine evidence, shall, for the purposes of this Act, take judicial notice of the signature of any such assistant or deputy whenever such signature is attached to such certificate, and such Registrar of Titles or assistant or deputy shall, on the written application of the council, signed by the town clerk, furnish to such council a certificate under the seal of the Office of Titles, giving the name and address of such owner, the situation and description of such land, and date of registration of title.

Signature of deputy or assistant registrar to be judicially noticed.

Ibid., s. 234.

Registrar to furnish certificate when required.

441. ALL documents whatever purporting to be issued or written by or under the direction of the council, and purporting to be signed by the mayor, town clerk, or surveyor, shall be received in evidence in all courts of law, and shall be deemed to be issued or written by or under the direction of the council without proof. The word "documents" shall include all regulations, orders, directions, and notices.

Documents signed by mayor, clerk, or surveyor to be admitted in evidence.

Ibid., s. 235.

442. ANY person who thinks himself aggrieved by any order or conviction made under this Act may appeal against such order or conviction, subject to the provisions of the Police Act, 1892, with respect to appeals.

Appeal.

Ibid., s. 237.

443. ANY officer of the council or other authorised person of any municipality announcing himself to be such, may, without warrant, arrest any person found offending against any by-law or regulation made under the provisions of this Act, or of any Act hereby repealed, if the offender refuses to give his name and address, and may hand him over to the custody of a police constable.

Power to arrest offender against by-laws, etc.

Ibid., s. 239.

444. NO Judge, Police Magistrate, or Justice of the Peace shall be disqualified from adjudicating on any matter in which the municipality is interested by reason only of his being a ratepayer in the municipality.

Magistrate or Justice not disqualified by being a ratepayer.

445. SECTIONS C, F, G, and H of the Second Schedule to the Interpretation Act, 1898, shall be incorporated with and taken to form a part of this Act to all intents and purposes and in as full and ample a manner as if the said sections had been introduced and fully set forth without any derogation to the provisions contained in any part of this Act.

Interpretation Act incorporated.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULES.

Municipalities.

Section 3.

SCHEDULES.

First Schedule.

REPEALS.

Date of Act.	Title of Act.	Extent of Repeal.
34 Vic., No. 6 ...	An Act for establishing Municipalities	All portions not already repealed
40 Vic., No. 13 ...	The Municipal Institutions Act, 1876 ...	The whole
42 Vic., No. 16 ...	The Municipal Institutions Act, 1876, Amendment Act, 1878	The whole
44 Vic., No. 11 ...	The Municipal Institutions Further Amendment Act, 1880	The whole
45 Vic., No. 12 ...	The Municipal Institutions Further Amendment Act, 1881	The whole
46 Vic., No. 19 ...	The Municipal Institutions Further Amendment Act, 1882	The whole
47 Vic., No. 19 ...	The Municipal Institutions Further Amendment Act, 1883	The whole
49 Vic., No. 14 ...	The Municipal Councils Titles Act, 1885	The whole
49 Vic., No. 17 ...	The Municipal Institutions Act, 1876, Amendment Act, 1885	The whole
51 Vic., No. 29 ...	The Municipal Footpaths Act, 1888 ...	The whole
55 Vic., No. 16 ...	The Municipal Institutions Act Amendment Act, 1892	The whole
59 Vic., No. 10 ...	The Municipal Institutions Act, 1895 ...	The whole
60 Vic., No. 10 ...	The Municipal Institutions Act Amendment Act, 1896	The whole.

Section 30.

Second Schedule.

I, A.B., do solemnly declare that all the signatures affixed to the above Petition are the genuine signatures of the persons whose signatures they purport to be, and that such persons are persons liable to assessment for Municipal taxes in respect of property or household residence within the boundaries of the proposed Municipality, as set forth in this Petition.

Third

Municipalities.

Third Schedule.

List of Voters for the Municipality of . . . *made for the year 1* .

Section 56.

Surname of person supposed to be entitled to vote.	Other names of same person.	Trade or occupation.	Description and situation of property giving title to vote.	Whether as owner or occupier.	Rateable value of property.	Number of votes.		Electoral Districts.
						For Mayor and Auditors.	For Councillors.	

(Signed) A.B.,
Mayor.*Voters' List for the* . . . *Ward of the Municipality of* . . . *made for the year 1* .

Surname of person supposed to be entitled to vote.	Other names of same person.	Trade or occupation.	Description and situation of property giving title to vote.	Whether as owner or occupier.	Rateable value of property.	Number of votes.		Electoral Districts.
						For Mayor and Auditors.	For Councillors.	

(Signed) A.B.,
Mayor.

Fourth Schedule.

Application by a person whose name has been omitted from any list (to have his name inserted thereon).

Section 57.

To the Mayor of the Municipality of

SIR,—I hereby claim to have my name inserted on the [Municipal Electoral List] or [Ward Electoral List]
in accordance with my qualification, as stated hereunder.

Dated this . . . day of . . . A.D. 1 . . .

(Signed) A. B. [name in full.]

Surname of Claimant.	Other Names of Claimant.	Trade or occupation.	Description and situation of property in respect of which claim is made.	Whether claiming as owner or occupier.	Rateable value of land.	Number of votes claimed.	
						For Mayor and Auditors.	For Councillors.

Application.

Municipalities.

Application by a person to have the Amount of the Ratable Value of his Property Altered.

To the Mayor of the Municipality of

SIR,—I hereby claim to have the Ratable Value of my property, as specified on the [Municipal Electoral List] or [Ward Electoral List] altered in accordance with the following particulars.

Dated this day of A.D. 1 .

(Signed) A. B. [name in full.]

Surname of Claimant.	Other Names of Claimant.	Trade or occupation.	Description and situation of property in respect of which claim is made.	Whether claiming as owner or occupier.	Ratable value of land.	Number of votes claimed.	
						For Mayor and Auditors.	For Councillors.

Notice of Objection to Retention of Name on Electoral List.

To the Town Clerk,

.....Municipality.

SIR,—I give you notice that I object to the retention of [name of person objected to] on the [Municipal Electoral List] or [Ward Electoral List] on the following grounds:—

Dated this day of A.D. 1 .

(Signed) A. B. [name in full.]

Notice of Objection to Ratable Value of Lands.

To the Town Clerk,

.....Municipality.

SIR,—I give you notice that I object to the Ratable Value of the Ratable Lands set against [name of person on List] on the [Municipal Electoral List] or [Ward Electoral List] on the following grounds:—

Dated this day of 1 .

(Signed) A. B. [name in full.]

N.B.—The notice of objection must be in duplicate, and be served on the Town clerk.

Municipalities.

Fifth Schedule.

Section 65.

Municipal Roll for the Municipality of (or if the Municipality be
divided into Wards, for the Ward of the Municipality
of) *for the year ending*

No.	Voter's Surname.	Voter's other Names.	Whether Occupier, Lessee, or Owner.	Description and Situation of Eatable Land.	Number of Votes.	
					For Mayor and Auditors.	For Councillors.

(Signed)

Town Clerk.

Sixth Schedule.

Section 89.

Municipality of.....

NOMINATION OF MAYOR OR AUDITOR.

I, A.B., of (insert name, residence, and calling and No. on roll), hereby propose, and I, C.D. (insert the like), hereby second E.F., of (insert the description of the candidate), as a fit and proper person to be Mayor (or one of the Auditors, as the case may be) of the Municipality of

A.B.
C.D.

I consent to act if elected, E.F.

NOMINATION OF COUNCILLOR.

.....Ward.

I, A.B., of (insert name, residence, and calling and No. on roll), hereby propose, and I, C.D. (insert the like), hereby second E.F., of (insert the description of candidate), as a fit and proper person to represent this (Municipality or Ward, as the case may be) as one of its Councillors.

A.B.
C.D.

I consent to act if elected, E.F.

Seventh

Municipalities.

Section 94.

Seventh Schedule.

Counterfoil Number.	<p><i>Municipality of.....</i></p> <p>BALLOT PAPER.</p> <p>Election of Mayor on the day of</p> <p>1 .</p> <p><i>List of Candidates for Election.</i></p>
Counterfoil Number.	<p><i>..... Ward of the Municipality of.....</i></p> <p>BALLOT PAPER.</p> <p>Election of a Councillor (or Councillors) on the</p> <p>day of 1 .</p> <p><i>List of Candidates for Election.</i></p>
Counterfoil Number.	<p><i>Municipality of.....</i></p> <p>BALLOT PAPER.</p> <p>Election of an Auditor (or Auditors) on the day</p> <p>of 1 .</p> <p><i>List of Candidates for Election.</i></p>

DIRECTIONS.

The voter is to strike out the name of the candidate or candidates for whom he does not intend to vote by drawing a line through the same with a pencil.

He must be careful not to leave uncanceled the names of more than [*the number of councillors to be elected*] candidates, otherwise this ballot-paper will be invalid.

The ballot-paper so marked by or for the voter is to be dropped by him into the ballot-box.

The voter is not permitted to take his ballot-paper out of the ballot room or polling booth.

Eighth

Municipalities.

Eighth Schedule.

Section 94, 106.

COUNTERFOIL.	COUNTERFOIL.	
No.	No.	<i>Municipality of</i>
Name of Municipality	Name of Municipality	VOTING PAPER IN ABSENCE FOR MAYOR.
Election of	Election of	Candidate for whom I vote as Mayor
Name of Voter	Name of Voter .....	.....
Address	Address .....	.....
Date	Date	No. of Votes

To be filled up and in the presence of a Resident or Police Magistrate, Justice of the Peace, Postmaster, or Appointee, and enclosed in an envelope, to be marked "Ballot Paper" on both sides of the envelope; and shall also enclose one of the counterfoils into a separate envelope, to be marked on both sides "Counterfoil." The voter shall then enclose both such envelopes in a second envelope, and himself send same by post or otherwise to the Returning Officer,

COUNTERFOIL.	COUNTERFOIL.	
No.	No.	<i>Municipality of</i>
Name of Municipality	Name of Municipality .....	..... <i>Ward (if any).</i>
Election of	Election of	VOTING PAPER IN ABSENCE FOR COUNCILLOR.
Name of Voter	Name of Voter	Candidate for whom I vote as Councillor
Address	Address .....	.....
Date	Date	No. of Votes

To be filled up and in the presence of a Resident or Police Magistrate, Justice of the Peace, Postmaster, or Appointee, and enclosed in an envelope, to be marked "Ballot Paper," on both sides of the envelope; and shall also enclose one of the Counterfoils into a separate envelope, to be marked on both sides "Counterfoil." The Voter shall then enclose both such envelopes in a second envelope, and himself send same by post, or otherwise, to the Returning Officer.

COUNTERFOIL

*Municipalities.*EIGHTH SCHEDULE—*continued.*

COUNTERFOIL.	COUNTERFOIL.	<i>Municipality of</i>
No.	No.	VOTING PAPER IN ABSENCE FOR AUDITOR.
Name of Municipality	Name of Municipality	Candidate for whom I vote as Auditor
Election of	Election of .....	.....
Name of Voter ...	Name of Voter...	.....
Address	Address .....	.....
Date	Date	No. of Votes.....

To be filled up and in the presence of a Resident or Police Magistrate, Justice of the Peace, Postmaster or Appointee, and enclosed in an envelope to be marked "Ballot Paper" on both sides of the envelope. And shall also enclose one of the counterfoils into a separate envelope, to be marked on both sides "Counterfoil." The voter shall then enclose both such envelopes in a second envelope, and himself send same by post, or otherwise, to the Returning Officer.

Ninth Schedule.

Section 97.

DECLARATION OF OFFICE FOR RETURNING OFFICER, PRESIDING OFFICER,
SCRUTINEER, POLL CLERK.

I, A.B., duly appointed Returning Officer (*or* Presiding Officer *or* Scrutineer *or* Poll Clerk) at this election, do hereby solemnly declare that I will faithfully act and assist in such office, and will not attempt to ascertain for whom any elector shall vote, nor by any word or action directly or indirectly aid in discovering the same unless in answer to any question which I may be legally bound to answer, or in compliance with the provisions of the Municipal Institutions Act, 1900.

Tenth

*Municipalities.***Tenth Schedule.**

Sections 167, 168.

Taken from Local Government Act (Vic.) Schedule XIII., but the following are omitted, viz., Part I. (3.) Spouts and Drains; (11.) Miscellaneous. Part V., Regulation, etc., of Buildings (1-8) omitted. Part VII. (8.) Parts VIII. and IX. the whole (Nuisances, etc.) Part X. (3.) boats, etc. Part XI. (proceedings) 10 clauses fewer in this bill.

PART I.—STREETS AND FOOTWAYS.**(1.) PORTICOES, PROJECTIONS, ETC.**

1. *Interpretation.*—The word "portico" shall mean and include every awning, portico, porch, verandah, shed, shade, or covering upon or across any public footway for the purpose of shade or shelter, together with the supports other than the building against which it shall be of such portico.

2. *Erection of porticoes.*—Subject to the provisions hereinafter contained, it shall be lawful for the owner of any house or building abutting upon any public footway to erect or place against or in front of such building, and upon or across such footway, such portico as such owner shall see fit.

3. *Height, etc., of porticoes.*—Every such portico shall be supported by upright pillars or supports fixed on the outer line or kerb of the footway, and shall be in every part thereof of such height from the ground not less than eight feet, and with the pillars or supports thereof shall be of such shape, figure, dimensions, and materials respectively as shall have been appointed as herein provided.

4. *Regulations relating to porticoes.*—It shall be lawful for the Council from time to time to make regulations for all or any of the purposes following, that is to say:—

For regulating the height from the ground of such porticoes as aforesaid.

For appointing the shape, figure, dimensions, and materials of such porticoes.

And there shall be deposited at the office of the Council a plan and specification of such portico as shall be appointed in any such regulation, and such plan and specification shall be referred to in such regulation, and shall be open for inspection by any ratepayer or person interested at all reasonable times without fee or reward.

5. *Porticoes erected contrary to By-laws or Regulations; Projections and Obstructions.*—If, before the coming into operation of this sub-division, any portico shall have been erected or placed against or in front of any building and upon or across any public footway, contrary to some By-law lawfully in force in that behalf, or if after such coming into operation, any portico shall have been erected or placed against or in front of any building, and upon or across any public footway, otherwise than as shall have been appointed by some regulation to be made hereunder, or if any projecting window, balcony, step, cellar, cellar-door or window, or steps leading into any cellar or otherwise, lamp, lamp-post, lamp-iron, sign, sign-post, sign-iron, show-board, window-shutters, wall, gate, fence, or opening, or any other projection or obstruction placed or made against or in front of any building after the coming into operation of this sub-division therein shall be an annoyance in consequence of the same projecting into or being made in or upon or endangering or rendering less commodious the passage along any footway or street, it shall be lawful for the Council to give notice to the owner or occupier of such building to remove or to alter so as to conform to such regulation such portico, or to remove or in such manner as the Council shall by such notice require to alter such projection or obstruction; and such owner or occupier shall, within fourteen days after the service of such notice upon him, remove or in manner aforesaid respectively alter such portico, or such projection or

obstruction as aforesaid respectively; and if the owner or occupier of any such building neglect or refuse for fourteen days after such notice so served to remove such portico, or such projection or obstruction, or to alter the same in manner aforesaid respectively, he shall forfeit a sum not exceeding Five pounds, and a further sum not exceeding Forty shillings for every day during which such projection or obstruction continues after the expiration of fourteen days from the time when he may be convicted of any such offence contrary to the provisions of this section. Provided, however, in any case where after service of the said notice for the removal or alteration of such portico, projection or obstruction, the same shall not be removed or altered within a reasonable time, it shall be lawful for the Council to cause the same to be removed or altered at the cost of the owner or occupier, or at the Council's option to proceed against the offender as hereinbefore provided.

6. *Porticoes erected without violation of previous By-laws; Projections and Obstructions; Proviso.*—If, before the coming into operation of this sub-division, any portico shall have been erected or placed, without violation of any By-law for the time being lawfully in force, against or in front of any building, and upon or across any public footway laid out as such hereunder or otherwise, and such portico shall not be in conformity with some regulation for the time being in force hereunder, or if any such projection or obstruction, as in the last preceding section mentioned, which has been placed or made against or in front of any building, before such coming into operation as aforesaid, shall be an annoyance, as in the said section mentioned, it shall be lawful for the Council to remove or cause such portico to be removed or altered so as to conform to such regulation, or (as the case may be) such projection or obstruction to be removed or altered as they see fit. Provided that the Council shall give notice of every such intended removal or alteration to the owner or occupier against or in front of whose building such portico, projection, or obstruction may be, seven days before such removal or alteration shall be commenced, and shall make reasonable compensation, to be ascertained and ordered, if the parties differ, by two Justices, to every person who shall incur any loss or damage by such removal or alteration, except in cases where the portico, projection, or obstruction shall have been erected, placed, or made without lawful right, or may be removable under some other Act or law, in which case no compensation shall be made.

7. *Repair, etc., of porticoes.*—Every owner or occupier of any building, against or in front of which there shall be any portico, shall keep the same clean and in good repair; and it shall be lawful for the Council to give notice to any such owner or occupier to clean or repair such portico, if and as the same shall require; and every owner or occupier who shall neglect or refuse, within seven days after the service of such notice, to effect such cleaning and repair, shall forfeit a sum not exceeding Forty shillings for every day during which he shall fail to effect the same. And on default by the owner or occupier to so clean and repair the same, the Council may cause the same to be done at the expense of the owner or occupier.

(2.) NAMING STREETS AND NUMBERING HOUSES.

8. *Names of streets.*—It shall be lawful for the Council from time to time to cause to be painted or affixed on a conspicuous part of some house or building, at

*Municipalities.*TENTH SCHEDULE—*continued.*

at or near each end, corner or entrance of every street, and in the direction of the line of such street, the name of such street, in legible characters, not exceeding four inches in length, and proportionately broad and near to each other; and the Council may, where more than one street or road in the municipality is called by the same name, alter the name of any or all of such streets save one (to be described in the order altering the same), to any other name which to the Council may seem fit; and before any name is given to any new street, notice of the intended name shall be given to the Council, and if there be any street or road in the municipality called or about to be called by the same name, the Council may, by notice stating that there is already a street in the municipality called or about to be called by the same name, and describing the locality thereof, given to the person by whom notice of such intended name was given to them, at any time within fourteen days of the receipt of such last-mentioned notice, object to such intended name; and it shall not be lawful to set up any name to any street until the expiration of fourteen days after notice thereof has been given as aforesaid to the Council, or to set up any name objected to as aforesaid.

9. *Numbering, etc., of houses.*—The owners or occupiers of houses or buildings shall mark such houses or buildings with such numbers and names, for the purpose of distinguishing the same, as the Council shall direct or approve, and shall renew the numbers or names of such houses or buildings as often as they are obliterated or defaced; and if any occupier of any such house or building neglect for one week after notice from the Council to mark such house or building with such number or name as the Council may direct or approve, or to renew the number or name thereof as aforesaid, he shall forfeit a sum not exceeding Forty shillings; and the Council may cause such name to be so marked or renewed, and recover the expense thereof from the owner of such house or building before any Justice.

10. *Malicious injury to name or number.*—If any person wilfully and maliciously destroys, pulls down, obliterated, or defaces the name of any street, or the name or number of any house or building, or paints, affixes, or sets up any name to any street, or any name or number to any house or building, contrary to this sub-division, he shall, for every such offence, forfeit a sum not exceeding Five pounds; and it shall be lawful for the Council to cause such name or number so unlawfully painted, affixed, or set up, to be obliterated or destroyed.

11. *Register of alterations.*—The Council shall cause to be kept a register of all alterations made by them in the names of streets, and such register shall be kept in such form as to show the date of every such alteration, and the name of every street previous to such alteration, and the new name thereof.

(3.) CROSSINGS OVER FOOTWAYS AND CHANNELS.

12. *Crossing, etc.; footway, etc., save by made crossing.*—Every person who wilfully and without lawful excuse rides or drives any horse or other animal, or drives or wheels any carriage, cart, or other vehicle upon, along, or across any footway or any water channel or gutter, herein called channel, by the side of any street save in each such case upon and by or at some crossing to be made as hereinafter mentioned, shall forfeit a sum not exceeding Five pounds, and shall also pay to the Council such sum, by way of compensation for any

damage done by him to the footway or channel, as the Justice adjudicating upon the information shall on the hearing thereof order.

13. *Notice of making crossing.*—If any land shall front to, adjoin, or abut upon the footway of any street, and if access with horses and vehicles from such street to such land, or to some sufficient way appurtenant thereto, cannot be had without riding, driving, or wheeling the same respectively upon or across the said footway, or the channel (if any) lying along the outer edge thereof, and if the owner of such land shall desire that a crossing for horses and other animals and for vehicles be made as herein provided over such footway and channel, and shall give a notice in writing of such his desire to the Council, and in such notice describe the land in question and the proposed work by reference to the specification deposited as hereinafter mentioned, such specification being in accordance with the provisions hereof, and with such regulations as may be in force in that behalf, it shall be lawful for such owner, after seven clear days from the giving such notice and not before (with no unnecessary delay or obstruction), at his own cost, and under the inspection of such officer as the Council shall have appointed for the purpose, to make such crossing according to the tenor of such notice and specification, and not otherwise, and the owner of such land shall afterwards in like manner maintain the same.

14. *Specification.*—Every such owner who desires as aforesaid that any such crossing shall be made shall, before giving notice to the Council as herein provided, deposit with the town clerk a specification describing the proposed work with respect to each of the several matters, hereby or by any such regulation in force in that behalf required or provided.

15. *Immunity of person giving irregular notice in certain cases.*—Unless within the period of seven days after the receipt of any such notice as aforesaid the Council shall give notice to the person giving the same that (if the fact be so) such notice or the specification referred to therein and deposited is not in accordance with the provisions of such regulation as aforesaid, such notice and specification shall thereafter, so far only as affects the liability of such person to any penalty, be deemed to be in accordance therewith.

16. *Nature of crossing where there is a street kerb.*—In streets in which, at the site of any such proposed crossing, there is a kerb or stone or wood along the outer edge of the footway, the crossing so far as the footway extends shall have on both sides a kerb not higher in any part than the surface of the footway at that part, and similar in all respects to such first-mentioned kerb, and such kerb shall approach to and join the street kerbing in gentle curves outwards; and such crossing shall be of such width, and the surface thereof, so far as the footway extends, shall have such inclination outwards and be depressed so far below the footway, as shall have been respectively appointed by some regulation in that behalf, and shall, with respect to the channel, be so laid or constructed as not to raise or obstruct the same or any part thereof.

17. *Nature of crossing where there is no street kerb.*—In streets in which, at the site of any such proposed crossing, there is no such kerbing as in the last preceding section mentioned, the crossing over the channel shall be such suitable bridge as shall leave a free passage for the water underneath the same, and shall be of such materials, form, length, size, strength, and

*Municipalities.*TENTH SCHEDULE—*continued.*

and fall as shall have been respectively appointed by some regulation in that behalf; and the surface of such crossing, so far as the footway extends, shall be so made good by paving, macadamizing, gravelling, or otherwise, that the necessary traffic by animals or vehicles over the same shall not cause any damage thereto, but that such crossing shall be as sound and commodious for the passage of persons using the footway as the other portions of such footway adjoining such crossing.

18. *Departures from notice, etc., not punishable in certain cases.*—No person making any crossing shall be deemed guilty of an offence by reason only of some departure in making such crossing from the notice or specification relating thereto, unless the officer of the Council appointed, as hereinbefore provided to inspect the making of the crossing, shall have reported in writing such departure to the Council within three days after the same shall have been discovered, and unless such person, being served by the Council within three days after such report with a notice so to do, shall for the space of seven clear days after such notice have failed to correct or supply such departure.

19. *Council may alter improper crossing; expenses.*—If any crossing shall have been made in any respect contrary to this By-law or any regulation in force hereunder, it shall be lawful for the Council, if they shall see fit, to cause the same to be altered so as to conform hereto and to such regulation respectively, and to recover, in manner in "The Municipal Institutions Act, 1900," provided the expenses of such alteration from the owner of the land to which such crossing shall lead; but they shall not so recover in those cases of departure from the notice or specification which the Council or their officer might respectively have given notice of or reported, but failed to give notice of or report respectively in manner, and within the time provided in the preceding sections hereof.

20. *Crossings for private streets; expenses.*—If any private street shall meet at an angle the footway of any public street and there shall be no crossing upon and across such footway and the channel adjacent thereto, from such private street to such public street, it shall be lawful for the Council, if they shall see fit, to make, in accordance with any regulation in force in that behalf, a crossing upon and over such footway and channel of the description hereinbefore provided with respect to other crossings, and to recover from the owner of each of the tenements abutting on such private street such portion of the expenses of such making as shall bear to the whole of such expenses the same proportion as the ratable value bears to the whole ratable value of the properties so abutting.

21. *Council may alter crossings made before sub-division in force.*—If any crossing across or over any footway or channel to any land or way appurtenant thereto, or to any private street, shall have been made before the coming into operation of this sub-division, but shall in any respect not be in accordance with any regulation made hereunder, the Council may, if they shall see fit, cause the same to be altered so as to conform to such regulation; and if such crossing shall have been made contrary to any By-law in force at the time of making of the same, the Council may recover the expenses of such alteration in manner in the last two preceding sections mentioned, according as one or the other may be applicable to the case.

22. *Repair of crossings.*—If any crossing shall be out of repair, and the person liable hereunder to main-

tain or repair the same shall, for seven days after notice from the Council to that effect, neglect properly and completely to repair the same, he shall forfeit for every day that such crossing shall remain so unrepaired a sum of Forty shillings; and the Council may, if they shall see fit, effect such repair, and recover the same from such person before any Justice.

23. *Regulations.*—It shall be lawful for the Council from time to time to make regulations for all or any of the purposes following, that is to say:—

For regulating the width, depression, and inclination of crossings across or over footways and channels, and the materials for making and constructing the same; the mode of laying and bedding such materials; the length, width, size, strength, and fall of bridge crossings, and the said inclination and fall, either absolutely or with relation to the levels, inclination, or fall of the footway or channel, or otherwise, in like manner.

(4.) DEPOSIT OR DISCHARGE OF RUBBISH, LIQUID, ETC., ON STREETS, ETC.

24. *Causing, etc., offensive liquid, etc., to flow on street, etc.*—Every person who causes to run from any manufactory or any establishment for the boiling or preparing of any animal matter, or any brewery, slaughter-house, butcher's shop, eating-house, or any dunghill, or other receptacle, or from any inn, into or upon any street, public or private, or any footway or channel, and every occupier of any land or premises who causes or permits to run from such land or premises into or upon any such street, footway or channel, any offensive liquid or matter, shall, for every day during which any such liquid or matter shall so run, forfeit a sum not exceeding Five pounds.

25. *Causing sludge to flow on street, etc.*—Every manager and director of any company established for mining purposes, whether incorporated or not, and every other person who, unless where authorised by or under some Statute now or hereafter to be in force, shall cause or shall allow any sludge made in the process for washing earth for gold, or other metals or minerals, or otherwise to flow or run into or upon any street, public or private, or any footway or channel, shall, for every day during which any such sludge shall so flow or run, forfeit a sum not exceeding Five pounds.

(5.) DEPOSITING BUILDING MATERIALS, EXCAVATIONS, ETC.

26. *Unlawful depositing of building materials in street.*—Every person who throws or lays any building or other materials, or building rubbish, or puts up, constructs, or erects any stage, scaffolding, hoarding, or fence, in, upon, across, or over any street, footway, channel, or public place, save in lawful execution of the powers given by this sub-division, shall forfeit a sum not less than Forty shillings or not exceeding Ten pounds, and a further sum not exceeding Forty shillings for each day during which such matter or thing, or any of it, or any part thereof, is suffered to remain in or upon such street, footway, channel, or public place.

27. *Notice of intention to build, etc.*—Every person intending to build, put up, or take down, or cause to be built, put up, or taken down, any building, wall, or other structure, or any fence, or to alter or repair, or cause to be altered or repaired, the outward part of any such building or other structure, whether in any of such cases over or under ground, or to make any hole within

*Municipalities.*TENTH SCHEDULE—*continued.*

within ten feet of any street or footway, shall give notice in writing of such his intention to the Council; and in such notice shall describe the intended work, and the height, depth, extent, and position thereof; and whether or not it be necessary for the execution of the said work that a scaffold or stage be constructed, or that buildings or other materials or building rubbish be deposited upon or in the footway or street adjoining, or in front of such structure or hole, and for what time it will be necessary that such stage or scaffolding or such materials deposited be so kept or continued, or that such hole remain open, together with such other particulars touching such intended work as such persons shall see fit.

28. *Penalty for commencing, etc., work without notice.*—No person shall execute, or begin or continue to execute, any such work as in the last preceding section mentioned without having given to the Council such notice as therein provided, or until the expiration of forty-eight hours after giving the same; and every person offending against the provisions of this section shall forfeit a sum not exceeding Five pounds for every day upon which he shall so offend.

29. *License for depositing materials, scaffolding, etc.*—It shall be lawful for the Council, having received any such notice as aforesaid, to grant, if it shall seem to them fit, to the person having given such notice, upon payment by him of such sum as the Council may decide, a license in the appointed form under the hand of the town clerk, authorising such person to construct such stage and scaffolding as the proper officer of the Council to be appointed in that behalf shall require or permit, and to deposit building and other materials and building rubbish upon or across, in each of the cases aforesaid, so much of the footway adjoining or in front of the site of the intended work, and so much of the street adjoining such footway, and to keep and continue the said stage, scaffolding, and materials or rubbish so constructed or deposited respectively, for such time respectively as shall seem fit to the said Council, and be specified in the said license; and the Council may, if it shall seem fit, renew such license, or grant a fresh license to such person from time to time, and such person may thereupon from time to time do the said acts according to the tenor of such license.

30. *Hoarding and fence.*—Every person who shall intend to build, or take down, or cause to be built or taken down, any building or other structure, whether over or under ground, or to alter or repair, or cause to be altered or repaired, the outward part of any such structure within any of the cases aforesaid ten feet of street or footway, or who shall have a license for constructing any stage or scaffolding, or depositing any building or other materials or building rubbish upon or across any footway or street, shall, before beginning to execute such work, or to do such act, cause to be put up, so as to separate from the street, and from the remainder (if any) of the footway so much of the premises where the work is to be executed as fronts the site of such work, and the area upon which, according to the license, such stage or scaffolding is to be constructed, or such materials or rubbish are to be deposited, such sufficient hoards or fences, together with such convenient platform or handrail, if there be room enough to serve as a footway for passengers outside of such hoard or fence as shall be respectively approved by such officer as the Council shall have appointed in that behalf, and shall continue such hoard or fence, with such platform

and handrail as aforesaid, standing and in good condition to the satisfaction of such officer during the time limited, as aforesaid in the said license, or the last renewal thereof, and for such longer time as the public safety or convenience requires, and shall in all cases in which it is necessary, in order to prevent accidents, cause the same to be sufficiently lighted from sunset to sunrise, and shall remove such hoard, fence, platform, and handrail, and make good the footway and the street within a reasonable time after the provisions of this section have been fulfilled.

31. *Penalty for not putting up lighting, etc., hoarding.*—Every person who executes, or begins or continues to execute, any such work as in the last section mentioned, or who being licensed thereto constructs or begins or continues to construct any such stage or scaffolding, or deposits or keeps deposited any such material or rubbish upon or across any footway or street, without having in any of the cases aforesaid put up such hoard or fence or such platform with such handrail as aforesaid, or continuing the same respectively standing and in good condition as aforesaid during the time aforesaid, or without keeping the said hoard, fence, platform, or rail, and each part thereof respectively, while the same are standing, sufficiently lighted from sunset to sunrise, or without removing the same within such reasonable time as aforesaid, or without making good the footway and the street, after such removal, shall for every such offence forfeit a sum not exceeding Five pounds, and a further penalty not exceeding Forty shillings for every day while such default is continued.

32. *Removal of scaffolding, etc.*—Every person licensed as herein mentioned to construct any stage or scaffolding, or to deposit any materials or rubbish, shall remove within a reasonable time after the time limited as aforesaid in such license, or in the last renewal thereof, all such stage, scaffolding, materials, and rubbish, and shall make good the footway and the street; and if any such person shall fail in any such case to comply with this section, he shall forfeit a sum not exceeding Five pounds, and a further penalty not exceeding Forty shillings for every day while such default is continued.

33. *Street, etc., not to be obstructed, etc.*—Nothing herein contained shall render it lawful to construct any stage or scaffolding, or to deposit any materials or rubbish, or to put up any hoarding or fence, platform or handrail, as aforesaid, or all or any of them, so that the same shall extend, or be across, or over, or upon any street further from the inner edge of the footway than one-third of the whole breadth of such street, or in any case so as to render the street, exclusive of the footways, impassable for carriages, or so as to obstruct the channel.

34. *Council may remove, etc., in certain cases and recover expenses.*—If any person who ought, under this By-law, to remove any matter or thing, or to make good any footway or street, shall fail so to do, whether or not such person shall have been convicted or not of any offence under this sub-division, the town clerk may cause the removal of such matter or thing, or make good such street or footway, and may recover the expenses of so doing from the person so making default before any Justice.

(6.) LIGHTING, ETC., OF OBSTRUCTIONS GENERALLY.

35. *Persons laying materials, or making hole, whether by authority or not, to light, etc., same.*—When any building materials, rubbish, or other things are laid, or any

*Municipalities.*TENTH SCHEDULE—*continued.*

any hole made in any street or footway, whether the same be done by order or authority of the Council or not, the person causing such materials or other things to be so laid, or such a hole to be made, shall, at his own expense, cause a sufficient light or lights to be fixed in a proper place upon or near the same, and continue such light or lights every night, from sunset to sunrise, while such materials or hole remain; and such person shall, at his own expense, cause such materials or other things and such hole to be sufficiently fenced and enclosed until such materials or other things are removed, or the hole filled up or otherwise made secure; and every such person who fails so to light, fence, or enclose such materials or other things or such hole, shall for every such offence forfeit a sum not exceeding Ten pounds, and a further sum not exceeding Forty shillings for every day while such default is continued.

36. *Penalty in like case for non-removal.*—In no case shall any such building materials or other things or such hole, as last mentioned respectively, be allowed to remain an unnecessary time, under a penalty not exceeding Ten pounds, to be paid for every such offence by the person who, whether by order or authority of the Council or not, causes such materials or other things to be laid, or such hole to be made; and in any such case the proof that the time has not exceeded the necessary time shall be upon the person so causing such materials or things to be laid, or causing such hole to be made.

(7.) HOUSES, ETC., ENCROACHING ON STREET, ETC.

37. *Houses built so as to encroach on street.*—If any person shall erect or place fence, any house or other building, or any part thereof, upon, over, or across any public street, footway, or channel, he shall forfeit a sum not exceeding Twenty pounds, and a further sum not exceeding Five pounds for every day while the same shall so continue: Provided always that the Council, upon giving thirty days' notice in writing to the person to whom such encroachment belongs, or who has erected the same or caused it to be erected, may direct the removal of the same, and at the costs and charges of the person so offending. In every case where the obstruction cannot be removed at a greater cost than ten pounds it shall be open to the Council either to direct such removal and to pay all the costs thereof above ten pounds, or to proceed by action for trespass against the person causing such obstruction or encroachment, or to proceed as for a breach of such By-laws as aforesaid.

(8.) OBSTRUCTIONS, ETC., TO STREETS, ETC., BY CATTLE, ETC.

38. *Cattle at large on unenclosed land.*—If any cattle shall be found upon any land not being a common, and such that there is no fence, whether upon the same land or any other dividing such first-mentioned land from any street, whether public or private, without any person having charge of such cattle, the owner of such cattle shall forfeit a sum not exceeding Twenty shillings for every head of such cattle; and the proper officer of the Council may seize such cattle and place the same at some neighbouring place of safe custody; and any Justice, if such owner be not known, upon proof of the issue of a summons in the usual form, addressed to such owner as "owner" only, without otherwise naming or describing him, such cattle and the place of seizure being duly described therein, and of the publication of such summons in some newspaper may, after the expiration of twenty-four hours from such publication, proceed with respect to such owner not

appearing as if personal service of a summons, stating his name, had been effected, or if such owner appear, then as in other cases; and the Justice may order the cattle to be sold and the money arising from the sale, after deducting the said penalty and the costs awarded and the reasonable expenses, to be estimated and assessed by the Justice, of seizing, keeping, and selling the said cattle, shall be paid, if demanded within one month, to the owner of the cattle, and if not so demanded, then to the municipal fund; and if the said money shall not be sufficient for all the purposes aforesaid, the amount whereby the same falls short, or if no such sale be ordered, the whole of the said amount may be recovered from the said owner, if and when known, in like manner as other penalties and sums adjudged or ordered to be paid by Justices are to be recovered.

39. *Cattle at large in streets.*—If any cattle be at any time found in any street without any person having the charge thereof, the owner of such cattle shall forfeit for every head of such cattle a sum not exceeding Twenty shillings, and if such cattle shall, by reason of having been so found at large, have been impounded by the Council, the amount of such penalty and costs, if adjudged respectively before the release or sale of such cattle, shall be added to the pound fees and charges payable in respect of such cattle, and the amount thereof or such lesser amount (if any) as, after the sale of the cattle, may remain in the hands of the poundkeeper shall be paid over by him accordingly; and if the proceeds of any sale of such cattle shall not be sufficient, after paying the lawful fees and charges aforesaid, to satisfy such penalty and costs, or if such penalty and costs shall have been adjudged after the release or sale of the cattle, the same or so much thereof as remains unpaid shall and may be recovered from the owner of the cattle in like manner as other penalties and costs adjudged by Justices are by law to be recovered; and if, in the case of any information under this section, the owner be not known, then the provisions of the last preceding section, so far as necessary to give the adjudicating Justice jurisdiction, shall apply.

40. *Goats sold for trespass to be released or killed.*—If any goat shall have been impounded under the provisions of either of the two last preceding sections, or under the provisions of this By-law, relating to the impounding of cattle for trespass in the streets, and shall not, after the expiration of twenty-four hours, be released, and the penalty, costs, fees, and charges be paid by the owner thereof, any Justice may by warrant under his hand, directed to any constable, authorise the destruction of such goat, and the same may be destroyed accordingly.

41. *Regulations.*—It shall be lawful for the Council to make regulations from time to time for appointing the hours during which it shall not be lawful to drive into or through the municipality, or such parts thereof as shall by boundaries be set forth in such regulation, any cattle intended for sale, slaughter, or shipment, or travelling from one part of Western Australia or of any other colony to any other part, and to provide, if they shall see fit, in such regulations separately with respect to Sundays and week days; and if any person shall drive any such cattle contrary to such regulation, he shall forfeit for every head of cattle so driven a sum not exceeding Twenty shillings; provided that nothing herein contained shall apply to horses driven in harness or to oxen in the yoke.

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42. *Breaking in, etc., horses in streets.*—It shall not be lawful to break in any horse or other animal in any street, public or private, or in any public place, save such public places as from time to time may be appointed by some regulation of the Council in that behalf, which regulation the Council are hereby authorised to make, or by locking the wheels of any cart or other vehicle, or otherwise to test or try any horse or other animal so as to obstruct or injure any street or public place; and any person offending against this section shall forfeit a sum not exceeding Five pounds.

(9.) UNDERMINING STREETS.

43. *Court may restrain undermining of street.*—Upon application of the Council in that behalf, and hearing of the parties, it shall be lawful for the Local Court or Justices having jurisdiction at the place (subject to and in accordance with the provisions of any law now or hereafter in force relating to the management of and the administration of justice in regard to mining interests) by order under his hand, to enjoin any person named in such order from mining under any street or road, whether public or private; and if any person shall disobey such order, he shall be liable to be dealt with in like manner as persons disobeying other like orders of such Court are by law liable to be dealt with.

PART II.—WATERWORKS, DRAINS, ETC.

1. *Polluting water, reservoirs, etc.*—Whosoever shall bathe in any fresh water stream, reservoir, conduit, aqueduct, or other waterworks belonging to or under the management or control of the Council, or shall wash, cleanse, throw, or cause to enter therein any animal, whether alive or dead, or any rubbish, filth, stuff, or thing of any kind whatsoever, or shall cause, or permit, or suffer to run, or be brought therein, the water of any sink, sewer, drain, engine, or boiler, or other filthy, unwholesome, or impure water, or shall do anything whatsoever whereby any water or waterworks belonging to the Council, or under their management or control, shall be fouled, obstructed, or damaged, shall for every such offence forfeit, on conviction, a sum not exceeding Ten pounds, and a further sum not exceeding Twenty shillings for each day while such offence is continued after written notice in that behalf.

2. *Wilful waste of water.*—Whosoever being supplied with water by the Council from any waterworks or belonging to or under the control or management of the Council, or having access to any such waterworks for the taking of water therefrom, shall wilfully or negligently suffer any water to run to waste from any pipe or conduit from or by which he shall be so supplied, or to which he shall have such access, shall, on conviction, forfeit and pay for every such offence a sum not exceeding Ten pounds.

3. *Damming up water without consent.*—Whosoever shall, without the consent in writing of the Council, construct or place any dam or embankment in or across any river, creek, or natural water-course, or permanently obstruct the same in any way, shall, on conviction, forfeit a sum not exceeding Twenty pounds, and a further sum not exceeding Five pounds for every day after such conviction during which such dam or embankment or any part thereof shall continue.

4. *Diverting water from reservoirs of Council in certain cases.*—In any case in which the Council has the exclusive right of collecting for the supply of any reservoir or waterworks belonging to the Council, or under their management or control, the storm-water having fallen on

any gathering ground, whosoever shall by any means whatsoever divert any such water from the course of its natural flow, so that the same shall tend to flow elsewhere than to such reservoir or waterworks, or some water-course leading thereto, or shall flow to the same respectively in a foul state, shall forfeit, on conviction, a sum not exceeding Fifty pounds, and a further sum not exceeding Ten pounds for every day after such conviction during which such water so tends to flow or flows, as the case may be.

5. *Shooting or fishing in or near reservoir.*—It shall be lawful for the Council from time to time to make regulations for prohibiting or regulating the shooting of waterfowl and the taking of fish upon or in or within one-quarter of a mile of any stream, reservoir, or other waterworks belonging to or under the management or control of the Council; and every person who shall offend contrary to any such regulation shall, on conviction, forfeit and pay for every such offence a sum not exceeding Five pounds.

6. *Obstructing, etc., culverts, etc.*—Whosoever shall obstruct or damage any culvert, sewer, or drain, belonging to or under the control of the Council, shall forfeit a sum not exceeding Ten pounds, and shall pay to the Council, by way of compensation for any such damage, such further sum not exceeding Ten pounds, as the convicting Justice shall order.

PART III.—WHARVES, ETC.

1. *Application of this Part.*—This Part shall apply only to such wharves, jetties, and piers as belong solely to and are under the sole management or control of the Council, and as are not within the operation of any Act relating to ports or harbours.

2. *Regulations.*—It shall be lawful for the Council from time to time to make regulations for all or any of the purposes following, that is to say:—

(a.) For limiting the time during which goods shall be suffered to remain upon such wharf, jetty, or pier, according to the nature of such goods:

(b.) *Tolls.*—For appointing the rates and tolls to be paid in respect of goods landed, shipped, or deposited upon or from such wharf, pier, or jetty:

(c.) For appointing the parts and the extent of such wharf, pier, or jetty on which it shall be lawful to deposit goods:

And every person who shall place or keep any goods contrary to any such regulation shall, on conviction, forfeit a sum not exceeding Five pounds for such offence, and a further sum not exceeding Forty shillings for every day after such conviction during which such goods or any of them shall so remain.

3. *Offences by masters, etc., of ships, boats, etc.*—If any master or person in charge of any ship or boat do not, on being thereto required by the proper officer of the Council, remove his ship or boat from the wharf, pier, or jetty, or from one part to another part thereof, or if any such master or person, or the owner of any ship or boat, cause or suffer such wharf, pier, or jetty to be damaged by contact of such ship or boat therewith or otherwise, every such master, owner, or person shall forfeit a sum not exceeding Ten pounds, and such further sum, by way of compensation, to the Council for any such damage as the convicting Justice shall on the hearing order.

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TENTH SCHEDULE—continued.

PART IV.—PLACES OF IMPROVEMENT AND RECREATION, ETC.

(1.) PUBLIC LIBRARIES AND MUSEUMS.

1. *Misconduct, etc., in library or museum.*—Every person who shall, being intoxicated, enter or remain in any public library, mechanics' institute or museum belonging to or under the control or management of the Council, or who shall use therein any abusive, improper, or unbecoming language, or who shall by unnecessarily loud talking or any unnecessary noise, or otherwise disturb or annoy the persons using or resorting to such library, institute or museum, or who shall without lawful excuse, but without felony, remove any property from such library, institute or museum, shall forfeit a sum not exceeding Ten pounds, and every such person may be forthwith removed by any officer of the Council in charge of such library, institute or museum.

2. *Regulations.*—It shall be lawful for the Council from time to time to make regulations for the proper management and control of every such library, institute and museum, and every person offending against any such regulation shall forfeit a sum not exceeding Five pounds.

(2.) PUBLIC GARDENS.

3. *Hours.*—The gardens, parks and reserves under the management or control of the Council, and ground appertaining thereto, herein called the gardens, may be opened from sunrise to sunset on each day of the week.

4. *Injury to things in gardens.*—No person shall pluck any of the flowers, or walk on the beds or borders, or climb upon or get over the fences, or remove any of the tallies, or disturb, damage, or destroy any property or thing in the gardens.

5. *Shooting, etc.*—No person shall carry firearms through the gardens, or shoot, snare, or destroy any wild fowl, either in the gardens or in or on any water adjacent thereto, or bathe within such distance from such gardens as shall be fixed by any regulation of the Council to be made in that behalf in such water.

6. *Driving carts.*—No cart or other vehicle used for the conveyance of goods shall, without the authority of the proper officer of the Council, be driven through the gardens.

7. *Supplying plants, etc.*—Such plants, seeds, or cuttings, as are commonly purchasable at nurseries in Western Australia, shall not be supplied from the gardens to any person, unless in exchange, or for public institutions or for benevolent purposes.

8. *Interrupting workmen.*—No visitor shall interrupt the gardeners or labourers by conversation or otherwise.

9. *Dogs.*—All dogs and goats, and all poultry, found within the gardens shall be destroyed, and the owner shall make compensation, to be recovered before any Justice, for any damage done.

10. *Regulations.*—In addition to the provisions herein contained, it shall be lawful for the Council from time to time to make such regulations for the proper maintenance and management of the gardens as shall seem to them fit.

11. *Penalties.*—Any person offending against this by-law or any such regulation shall forfeit a sum not exceeding Ten pounds.

PART V.—BUILDINGS, ETC., FOR PUBLIC MEETINGS, ETC.

1. *Public buildings, etc., to be registered.*—Every occupier of any hall or other building used for public meetings, or of any such building or any ground in which public amusements are conducted, shall register at the office of the Council such building or ground, together with the situation and description thereof, and the purpose for which the same is to be kept, and the name of such occupier; and every person who causes, and every occupier of any such premises who permits any public meeting to be held, or any public amusement to be conducted in or on any such premises, not being registered for the purpose, or without such certificate of registration as hereinafter mentioned having been obtained for the same, shall forfeit for every such offence a sum not exceeding Ten pounds.

2. *Certificate of registration, etc.*—The Council, upon the written application of any such occupier as aforesaid stating the particulars aforesaid, may, if upon inspection by the proper officer the premises shall have been found to be secure and proper for the purpose stated, and if the Council shall see fit, cause the premises to be registered in a registry book to be kept for the purpose stated; and shall thereupon grant to the applicant a certificate of such registration of such premises in the appointed form; and the Council may at any time suspend for a stated period the effect of or cancel any such registration, and shall forthwith give notice of such suspension or cancellation to the occupier of the registered premises, and during such suspension or after such cancellation such premises shall be deemed to be unregistered in respect of the purpose mentioned in the certificate of registration, and such certificate shall be of no force or virtue.

3. *Inspection.*—The proper officer of the Council may at all reasonable times enter and inspect any such registered premises as aforesaid.

4. *Regulations.*—It shall be lawful for the Council from time to time to make regulations for appointing the times and hours during or at which respectively any such registered building or ground shall be used for the purpose for which it is registered, or shall be closed; and every occupier of any such premises, who permits the same to be used for such purpose during or at any other time, or after any such hour respectively, shall, for every such offence, forfeit a sum not exceeding Ten pounds.

PART VI.—FIRE PREVENTION.

(1.) FOUL CHIMNEYS.

1. *Wilfully setting fire to chimneys.*—Every person who wilfully sets or causes to be set on fire any chimney-flue, smoke-vent, or stove-pipe, herein called in common "chimney," shall forfeit a sum not exceeding Five pounds; provided always that nothing herein contained shall exempt the person so setting, or causing to be set on fire, any chimney from liability to be informed against or prosecuted before any Court having criminal jurisdiction for such act as for an indictable offence.

2. *Negligently suffering chimney to be on fire.*—If any chimney accidentally catch or be on fire, the person occupying or using the premises in which such chimney is situated shall forfeit a sum not exceeding Forty shillings; provided always that such forfeiture shall not be incurred if such person prove to the satisfaction of the Justice before whom the case is heard that such fire

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was in nowise owing to the omission, neglect, or carelessness, whether with respect to cleansing such chimney or otherwise, of himself or his servant.

(2.) DEPOSIT, ETC., OF INFLAMMABLE MATERIAL, ETC.

3. *Regulations.*—It shall be lawful for the Council from time to time to make regulations for all or any of the purposes following, that is to say:—

For prescribing the distance from any adjoining land, or from any building, within which it shall not be lawful to make or keep any stack of hay, corn, straw, or other produce, if not placed under roof or cover, and the like were placed under roof or cover, and for prohibiting or restraining the use for such covering of such inflammable materials as shall be described in such regulation.

For prescribing the distance from any adjoining land, or from any street or public place, or from any building, within which it shall not be lawful to deposit such combustible materials as shall be specified in the regulation, or save in some properly constructed fireplace within some building, to make or light any fire.

And every such regulation may be made to apply to the whole or separately to any part or parts of the municipality described by boundaries in such regulation, and may provide as to the subject matter thereof either absolutely or with relation to the consent of the Council, or of the proper officer of the Council, to be given or withheld in any case to be in question under such regulation.

4. *Stacks or covering, etc., in violation of or otherwise than required by regulation.*—Every person who shall make or place any stack of hay, corn, straw, or other produce, or place as or for the covering of any such stack any inflammable material, or deposit any combustible material, or light any fire, contrary in any such case to any regulation under this sub-division, and every occupier of any premises whereon any stack or any such covering of a stack shall be, or any combustible materials have been deposited, if the same, though lawfully made, placed, or deposited before the coming into force of any such regulation, shall be there contrary to the tenor of such regulation, who shall not within seven days after notice from the Council so to do remove such stack, covering, or materials, or who shall suffer to remain any such stack, covering, or materials unlawfully made, placed, or deposited before the coming into force of such regulations, shall forfeit, on conviction, for such offence a sum not exceeding Five pounds, and in every such case a further sum not exceeding Forty shillings for every day after any such conviction during which such stack, covering, or material shall so continue.

5. *Setting fire to matter without notice.*—Every person who wilfully sets fire to any inflammable matter whatsoever in the open air, without having given notice in writing to the occupiers of the land adjoining to the land upon which such matter shall be, and also to the town clerk, of his intention so to do, or within twenty-four hours after giving the last given of such notices, or between the hours of four in the afternoon of any day and eight in the morning of the following day, shall forfeit a sum not exceeding Five pounds.

6. *Fireworks.*—Every person who shall light any bonfire, tar-barrel, or firework upon or within sixty yards of any public or private street, or any public place, shall forfeit a sum not exceeding Five pounds.

7. *Bush fences.*—It shall not be lawful for any person to make or place, or to keep or continue any fence of brushwood, bushes, or other like material, and every person who shall make or place any such fence, and every owner or occupier of any premises who for seven days after notice from the Council to remove any such fence thereto appertaining, if lawfully made or placed before the coming into operation of this sub-division, shall suffer any such fence or any part thereof to remain, or who shall suffer to remain any such fence unlawfully made before such coming into operation, shall forfeit, on conviction, for such offence a sum not exceeding Five pounds, and in every such case a further sum not exceeding Forty shillings for every day after any such conviction during which such fence shall continue.

PART VII.—MISCELLANEOUS MATTERS.

1. *Regulations as to bathing.*—Where any part of the sea-shore or strand of any river or creek used as a public bathing place is within the municipality, or within three hundred yards of the boundary thereof, and not within any municipality, the Council may make regulations for and with respect to the time and place of bathing at or within such part, and according to the sex of the persons bathing or otherwise, and also as to persons resorting to or passing by such parts, whether by land or water, and for the stands of bathing machines, and otherwise for securing reasonable privacy for bathers and the observance of decency.

2. *Damaging trees.*—If any person shall wilfully, and without the authority of the Council, cut, break, bark, root up, or otherwise destroy or damage the whole or any part of any tree, sapling, shrub, or underwood growing in or upon any street, road, or place under the management of the Council, although the injury done shall not be to the amount of One shilling, he shall be liable to a penalty not exceeding Ten pounds.

3. *Removing soil, etc., from public places.*—If any person shall, without the authority of the Council, break, displace, or remove the surface or soil of any land belonging to or under the control or management of the Council, he shall be liable to a penalty not exceeding Five pounds.

PART VIII.—CARRIAGE OF PERSONS AND GOODS.

(1.) PASSENGER VEHICLES.

1. *Interpretation.*—In this sub-division, the term "hackney carriage" shall include every wheeled carriage, whatever may be its form or construction, used in standing or plying for hire for a passenger in any street within the municipality not being a stage carriage, and not being such stage carriage as next hereinafter mentioned; and the term "stage carriage" shall include every wheeled carriage, whatever may be its form or construction, used in standing or plying for hire for passengers at separate fares, and which shall upon every journey go from or come to any place within the municipality to or from any other place within such prescribed distance; and for all purposes the terms "hackney carriage" or "stage carriage" (as the case may require) shall be deemed sufficient to describe a carriage of either of the kinds hereinbefore mentioned; and the word "owner" shall include every person who, either alone or in partnership with any other person, shall keep or be concerned, otherwise than as a driver or attendant, in the keeping, employing, or letting to hire of any hackney carriage or stage carriage; and the word "conductor"

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"conductor" shall include every director or other person, except the driver, who shall attend upon the passengers in any stage carriage; and the word "passenger" shall include every person carried by any hackney carriage or stage carriage, except one driver and (where there shall be a conductor to such stage carriage) one conductor.

2. *Council may license carriages.*—The Council may from time to time license to ply for hire, within the prescribed space for the same, such hackney carriages and such stage carriages of any kind adapted for the carriage of persons as such Council shall see fit.

3. *Payments for licenses.*—For every such license there shall be paid to the Council granting the same for a hackney carriage, such sum not exceeding Twenty shillings, and for a stage carriage such sum not exceeding Forty shillings, as shall have been directed by some regulation in that behalf.

4. *Application for license.*—Before any such license is granted by the Council, an application for the same in the appointed form shall be made and signed by the owner or one of the owners of the carriage in respect of which such license is applied for, and in every such application shall be truly stated the name and surname and place of abode of the person applying for such license, and of every owner of such carriage; and any person who states in such application the name of any person who is not an owner of the carriage in respect of which he applies, or wilfully omits to specify truly in such application the name of any owner of such carriage shall be liable to a penalty not exceeding Five pounds.

5. *Inspection of carriage.*—The Council to whom any such application as aforesaid shall be made shall cause an inspection to be made of the carriage to which the same shall relate, and shall not grant the license unless such carriage shall be found to be in a fit and proper condition for public use.

6. *Contents of license.*—In every such license shall be specified the name and surname and place of abode of every owner of the carriage in respect of which the license is granted, and the name of the municipality by the Council of which the same is granted, and also the number of the license, but so that no two licenses granted hereunder by the Council of any municipality shall bear the same number and also the number of persons to be carried in and by such carriage, together with such other particulars as the Council shall think fit.

7. *Registration of license.*—Every such license shall be made out and signed by the Town Clerk of the municipality, the Council of which grants the same, and shall be duly entered in a registry book to be provided for that purpose; and in such book shall be contained columns or places for entries to be made, and which entries the Town Clerk is hereby required, having satisfied himself of the truth of the matter, to make, of every offence committed by any owner, driver, or conductor of such carriage; and any person may at any reasonable time inspect such book without fee or reward.

8. *Duration and effect of license.*—Every license so to be granted shall be in force for one year only from the day of the date thereof, or until the next general licensing day, in case any general licensing day be appointed by the Council, which day shall in such case be named in such license, and such license shall not include more

than one carriage so licensed; but nothing herein contained shall prevent the licensing of the same carriage both as a hackney carriage and a stage carriage.

9. *Owner changing abode to give notice.*—So often as any person named in any such license as an owner of any such carriage changes his place of abode, he shall within seven days next after such change give notice thereof in writing, signed by him, to the Council having granted such license, specifying in such notice his new place of abode, and he shall at the same time produce such license at the office of the Council, and the Town Clerk shall indorse thereon and sign a memorandum specifying the particulars of such change; and any person named in any such license as the owner of any such carriage who changes his place of abode and neglects or wilfully omits to give notice of such change, or to produce such license in order that such memorandum as aforesaid may be indorsed thereon within the time and in the manner herein directed, shall forfeit a sum not exceeding Five pounds.

10. *Number, etc., of carriage to be marked thereon.*—The owner of every licensed carriage and stage carriage shall cause to be painted or marked thereon in such manner, and in such conspicuous position as shall be directed by some regulation in that behalf, and to be kept so painted or marked, the name of the municipality the Council whereof shall have granted the license, and the number of such carriage corresponding with the number of the license.

11. *Plying without license.*—If any owner of any carriage permits the same to be used as a hackney carriage or as a stage carriage, plying within the municipality, without having a license in force in respect of such carriage from the Council of the municipality, or without having the name and number aforesaid painted or marked on such carriage as aforesaid, or if any person be found driving, standing, or plying for hire with any hackney carriage or stage carriage for which no such license is in force, or without having the name of the municipality and the number of such carriage as aforesaid openly displayed on such carriage, every such person so offending shall forfeit a sum not exceeding Five pounds.

12. *Occasional inspection of carriages—Plying for hire with unfit carriage.*—The Council of the municipality may, as often as they may deem it necessary, cause an inspection to be made of all hackney carriages and stage carriages licensed by them, and of the harness and the horses used in drawing such carriages; and if any such carriage or the harness or the horses used in drawing the same shall at any time be in a condition unfit for public use, the Council shall give notice to that effect to the owner thereof, which notice shall be personally served on such owner or delivered at his usual place of residence; and if, after notice as aforesaid, any owner shall use or let to hire such carriage as a hackney carriage or stage carriage, or use or let to hire such harness or horses whilst respectively in a condition unfit for public use, the Council may suspend for such time as may seem proper the license of such carriage; and every driver or conductor, who knowingly shall ply for hire with any hackney carriage or stage carriage which shall be at the time unfit for public use, shall forfeit a sum not exceeding Five pounds.

13. *Endorsement on license of route, etc., for stage carriage.*—The owner of every stage carriage plying for hire shall from time to time procure to be endorsed upon

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upon the license for such carriage by the Town Clerk of the municipality, the Council of which shall have granted the same places or termini between which such carriage is by a single route so to ply, and every such Town Clerk shall, on being required, make such indorsement without fee or reward; and if any such owner permits such carriage to ply as such stage carriage to or between other termini, or by any other route than those mentioned in the then last indorsement on such license, or the intermediate places of call (if any) appointed as herein provided between such termini, he shall forfeit, for every such offence, a sum not exceeding Forty shillings.

14. *Drivers' and conductors' licenses.*—No person shall act as driver of a hackney carriage, or as the driver or conductor of a stage carriage, licensed respectively in pursuance of this sub-division to ply for hire without having a license so to act from the Council of such municipality, which license such Council is authorised to grant on being satisfied that the person applying for the same is a person of good character, and proper skill and fitness for being so licensed; and every such license shall be registered by the Town Clerk of the municipality, the Council whereof shall grant the same, and a fee of Two shillings and sixpence shall be paid for the same.

15. *Age of driver and conductor.*—No person shall act as driver of a hackney carriage or stage carriage who shall not be of the full age of seventeen years, neither shall any person act as conductor who is not of the full age of fifteen years.

16. *Acting as driver or conductor without license.*—If any person acts as such driver or conductor as aforesaid, without having such license as last aforesaid, in force for the time being, or if he lend or part with his license, except to the owner of the carriage, or if the owner of any carriage employ any person as the driver or conductor thereof, who has not such license in force, every such driver and conductor, and every such owner, shall, for every such offence respectively, forfeit a sum not exceeding Twenty shillings.

17. *Owner to hold and produce drivers' or conductors' license.*—In every case in which the owner of any carriage permits or employs any licensed person to act as the driver or conductor thereof, such owner shall cause to be delivered to him, and shall retain in his possession, the license of such driver while such driver or conductor remains in his employ; and in all cases of information or complaint where the owner of a carriage is summoned to attend before a Justice, or to produce the driver or conductor of such carriage, he shall also produce the license of such driver, if at the time of receiving such summons he be then in his employ; and if any driver or conductor charged in any such case be adjudged guilty of the offence alleged against him, such Justice shall make an indorsement upon the license of such driver or conductor, stating the nature of the offence and the amount of the penalty inflicted; and if any such owner shall neglect or omit to have delivered to him, and to retain in his possession, the license of any driver or conductor, while such driver or conductor remains in his employ, or if he refuse or neglect to produce such license as aforesaid, he shall forfeit a sum not exceeding Forty shillings.

18. *Owner may in certain cases retain license of driver, etc., leaving.*—When any driver or conductor leaves the service of any owner of a carriage, such owner shall, on demand thereof, return to him his license; but if

such owner shall have any complaint against such driver or conductor he may retain the license for a time not exceeding forty-eight hours after the demand thereof, and within that time may summon such driver or conductor to appear before a Justice to answer such complaint; and if any owner who on demand thereof shall have refused or neglected to return to any driver or conductor his license, shall not within such period of forty-eight hours, apply for such summons, or shall not appear to prosecute his complaint at the time mentioned therein, it shall be lawful for such driver or conductor to summon before a Justice such owner for the unlawful detention of the license; and any Justice shall have power to hear and determine any complaint under this section; and if the Justice shall think that there was no just cause for detaining the license, or that there has been needless delay on the part of the owner in bringing the matter to a hearing, he shall have power to order the owner to pay such compensation to such driver or conductor as the said Justice shall think reasonable, and the Justice shall order the license to be forthwith returned to the said driver or conductor unless there be proof of any matter by reason whereof the Justice shall think that the license ought, under the powers herein given, to be revoked or suspended.

19. *Suspension and revocation of license.*—The Council having granted any license under this sub-division may at any time, if it be proved to their satisfaction that the owner of any carriage thereby licensed or any person thereby licensed to act as driver or conductor (as the case may be) has been convicted of any offence against this sub-division or any regulation made in pursuance thereof, or of any offence in respect of property entrusted to him as such owner, driver, or conductor respectively, suspend for any stated time, or on the like proof of a second such conviction or of two such convictions suspend for any stated time or revoke as they may deem fit, such license, and also any other license which such owner, driver, or conductor may hold under this sub-division; and no license, while suspended under this section or otherwise or when revoked shall be deemed to be of any force or virtue hereunder.

20. *Number of passengers to be painted on carriage; and observed.*—No hackney carriage or stage carriage shall be used or employed or let to hire or shall stand or ply for hire within the municipality unless the number of persons which according to the license may be carried by such carriage, in words at length and in the form following, that is to say: "To carry persons," be painted in manner directed by some regulation in that behalf on a plate placed on some conspicuous place on the outside of such carriage and in legible letters, so as to be clearly distinguishable from the colour of the ground whereon the same are painted, one inch in length and of a proportionate breadth; and the driver of any such carriage shall not be entitled to carry in or by such carriage a greater number of persons than the number which according to the license may be carried.

21. *Default in painting number; carrying excessive number; refusal to carry full number and luggage.*—If the owner of any hackney carriage or stage carriage permit the same to be used, employed, or let to hire, or if any person stand or ply for hire with such carriage within the municipality without having the number of persons which accordance to the license may be carried by such carriage painted and exhibited in manner aforesaid, or if the driver or conductor of any such carriage shall

carry

*Municipalities.*TENTH SCHEDULE—*continued.*

carry a greater number of persons in or by such carriage than such number, or shall, where the carriage is a hackney carriage and for the time employed or plying as such, refuse, when required by the hirer thereof, to carry in or by such carriage the number of persons which such carriage is licensed to carry, or a less number, together with a reasonable quantity of luggage without additional charge, or refuse, where the carriage is a stage carriage and for the time being employed or plying as such, to carry any passengers not forming with other passengers already being in such carriage an excess of the number which such carriage is licensed to carry, and to whose admission no reasonable objection is made, every owner, driver, or conductor so offending shall forfeit a sum not exceeding Forty shillings.

22. *Omission to drive hackney carriage as required.*—Any driver of a hackney carriage standing at any of the stands appointed for hackney carriages, or being in any street, public or private, within the municipality the Council of which shall have licensed such carriage, who without reasonable excuse, refuses or neglects to drive such carriage to any place to which he is directed to drive by the person having hired or wishing to hire such carriage, or refuses to drive any such carriage for any time not exceeding three hours, if so required by any such person, or who shall not drive the same at a reasonable and proper speed, not less than six miles an hour, except in case of unavoidable delay, or when required by the hirer thereof to drive at any slower pace, shall forfeit a sum not exceeding Forty shillings.

23. *Carrying others without consent of hirer.*—Every owner or driver of any hackney carriage who permits or suffers any person to be carried in or upon or about such hackney carriage during the hire thereof without the express consent of the person hiring the same shall forfeit a sum not exceeding Forty shillings.

24. *Agreement for excessive fare not binding.*—No agreement made with the owner or driver of any hackney carriage for the payment for the hire thereof of more than the proper sum limited by some regulation in that behalf shall be binding on the person making the same; and every owner or driver of a hackney carriage who exacts or demands for the hire thereof more than such proper sum, whether in pursuance of any such agreement or not, shall forfeit a sum not exceeding Forty shillings; and the adjudicating Justice may upon the hearing order in addition that such owner or driver pay to the party aggrieved the amount of such overcharge if paid.

25. *Omission to fulfil agreement where fare stipulated or.*—No owner or driver of any hackney carriage, having agreed to take any fare for any time or from or to any place, shall refuse, neglect, or delay to fulfil such agreement; and every owner or driver offending against this section shall forfeit a sum not exceeding Forty shillings.

26. *Plying elsewhere than on standing, and obstructions by driver of hackney carriage.*—Every driver of a hackney carriage who, save for such reasonable time as may be required for taking up or setting down any passenger or luggage, stands or plies for hire with such carriage, or suffers the same to stand elsewhere than at some standing or place appointed for that purpose by some regulation in that behalf, or stops such carriage across any street, whether public or private, or alongside of any other carriage whatsoever, or refuses to give way, if he conveniently can, to any other carriage, or who, by

loitering or any wilful misbehaviour, causes any obstruction to any street, whether public or private, or who obstructs or hinders the driver of any other hackney carriage in taking up or setting down any person into or from such carriage, or who wrongfully, in a forcible manner, prevents the driver of any other hackney carriage from being hired, shall forfeit a sum not exceeding Forty shillings.

27. *Stage carriage plying elsewhere than on standing, etc.*—No stage carriage shall stand or ply for passengers elsewhere than on some standing duly appointed, according to the route and terminus by and to which such carriage is to proceed, or upon such route, or shall stop or delay upon such route, save whilst taking up or setting down passengers, or at some place of call upon such route appointed by some regulation in that behalf; and no such carriage shall leave any standing for use as a stage carriage, save in such succession or turn as shall have been appointed as aforesaid; and every driver or conductor of any such carriage who shall offend against this section shall forfeit a sum not exceeding Forty shillings.

28. *Obstruction or misbehaviour by drivers, etc., of stage carriage.*—Every driver or conductor of any stage carriage who, by loitering or any misbehaviour, shall cause any obstruction in or upon any street, whether public or private, or shall improperly delay such carriage on any journey, or deceive any person with respect to the route or destination thereof, or who shall demand more than the lawful fare for any passenger, or who, for the purpose of taking up or setting down a passenger, or except in case of accident or other unavoidable necessity, shall stop such carriage opposite to the end of or across any street, or upon any place where foot passengers usually cross the carriage way, or who shall ply for hire or passengers by blowing a horn, or using any other noisy instrument within any municipality in which this sub-division shall be in force, and every driver or conductor of any such carriage who shall smoke while acting in such capacity after an objection taken by any person riding in or upon such carriage, and every conductor who shall allow any person besides himself to ride upon the steps or in the place provided for him, shall, for every such offence, forfeit a sum not exceeding Twenty shillings.

29. *Driver, etc., of stage carriage not to carry persons misbehaving, etc.*—Every driver or conductor of a stage carriage who shall knowingly carry or permit to be carried in such carriage any person who so violently, noisily, or indecently conducts himself, or otherwise so misbehaves as to annoy any other passengers, save for such time only as may be necessary to procuring the delivery of such person into proper custody, shall forfeit a sum not exceeding Forty shillings.

30. *Driver, etc., to keep on near side.*—Every driver of a hackney carriage or stage carriage shall keep the same upon the left hand side of the carriage-way of any street, and so that in driving along such street the tramway (if any) in such street shall be upon his right-hand side, save only (in so far as shall be necessary to depart therefrom) for the purpose of passing or of avoiding collision with any other vehicle, or for necessary stoppage at any house or place; and every driver offending against this section shall forfeit a sum not exceeding Twenty shillings.

31. *Drivers, etc., at public meetings, etc.*—The driver of every hackney carriage or stage carriage taking up or setting down a passenger at any place of public worship or

*Municipalities.*TENTH SCHEDULE—*continued.*

or public amusement, or at any public meeting within the municipality, or who is waiting for such purpose, shall act under the direction of any member of the police force or traffic inspector, who may be on duty at such place or places as to the taking up or setting down, or waiting for any passengers, and as to the order and place in which any such carriage shall stand, and shall perform his duty in a careful and quiet manner, and shall not push into or get out of the line or position fixed for carriages, so as to endeavour to arrive at his place of appointment before any other carriage the driver whereof from its position would have a prior right to take up or set down passengers; and every driver offending against this section shall forfeit a sum not exceeding Five pounds.

32. *Driver, etc., loitering in any street, etc.*—Any driver loitering in or driving about any street plying for passengers with his carriage shall forfeit a sum not exceeding Forty shillings for every such offence.

33. *Passing carriages in the streets.*—No driver shall pass any other carriage proceeding in the same direction to or from the stand, if the latter be proceeding on his journey at the rate of eight miles an hour, and no carriage shall immediately proceed to follow another, or nurse or shepherd the same to the danger or annoyance of the passengers of either carriage; and every driver offending against this section shall forfeit a sum not exceeding Forty shillings.

34. *Driver, etc., obstructing streets, etc.*—No driver of any hackney carriage or stage carriage shall suffer the same to stand for hire across any street, or obstruct the driver of any other carriage in taking up or setting down any person, or wrongfully or forcibly prevent the driver of any other carriage from taking a fare; and every driver offending against this section shall forfeit a sum not exceeding Five pounds.

35. *Carriages to remove when ordered.*—It shall be lawful for any traffic inspector or police officer at any time, when any street is in his opinion over-crowded with carriages or persons, to request the same to remove, or be removed to some other part of the street; and any driver refusing or delaying to remove as requested shall be liable to a penalty not exceeding Five pounds.

36. *Furious driving, etc.; damage to persons or property; other offences.*—Every driver of a hackney carriage, or driver or conductor of a stage carriage who shall be guilty of wanton or furious driving, or who, by carelessness or misbehaviour shall, during his employment, cause any hurt or damage to any person or property being in any public or private street, or be drunk, or make use of any insulting or abusive language, or be guilty of any insulting gesture, or any misbehaviour, shall forfeit a sum not exceeding Ten pounds, and if the adjudicating Justice see fit, shall, without or in addition to any penalty awarded, be imprisoned for a period not exceeding three months.

37. *Compensation for damage done.*—In every case in which any such hurt or damage, as in the last section aforesaid shall have been caused, the Justice upon the hearing may also adjudge as and for compensation to any party aggrieved as aforesaid a sum not exceeding Ten pounds, and may order the owner of the carriage, the driver or conductor of which shall have caused such hurt or damage, forthwith to pay such sum with costs; and any sum and costs so paid may be recovered by such owner in a summary way before two Justices from the driver or conductor through whose default such

sum shall have been paid, or the Justice in the first instance may adjudge that such compensation be paid by such driver or conductor to the party aggrieved.

38. *Common standings for hackney and stage carriages.*—No carriage licensed both as a hackney carriage and a stage carriage shall stand or ply for hire elsewhere than on some standing appointed as herein provided for the standing of stage carriages, or both of hackney carriages and stage carriages, and any such carriage which shall leave any such standings under hire or for use as a hackney carriage shall not be used or ply as a stage carriage until the same shall have returned to some such standing as aforesaid; and every driver or conductor offending against this section shall forfeit a sum not exceeding Forty shillings.

39. *Order, etc., of standing.*—Hackney carriages and stage carriages shall take their stations on the standing in the order of their arrival, and when any such carriage shall be driven off any stand the driver of the carriage immediately behind shall cause his carriage to move forward to the place vacated by the carriage so driven on, and the drivers of the other carriages behind shall cause them to move forward each up to the place vacated by that immediately before it, but subject to the provision next hereinafter contained; and every driver offending against this section shall forfeit a sum not exceeding Twenty shillings.

40. *Spaces to be left in certain cases.*—After every four carriages which shall be on any standing there shall be left a clear space of eight feet, and if the driver of any carriage which shall be next after the fourth or eighth carriage upon any standing, or next after any other carriage after which such clear space as aforesaid ought to be left, shall suffer his carriage or the horse attached thereto to stand or be within the distance of eight feet from such fourth, or eighth, or other carriage, he shall forfeit a sum not exceeding Twenty shillings.

41. *Statement of fares to be painted on carriage.*—The owner of every hackney carriage and every stage carriage shall put up and at all times keep distinctly painted or marked upon every such carriage in such a manner and in such a position as shall be directed by some regulation in that behalf, if the carriage be a hackney carriage, the amount of fare, according to distance and time, which may be legally demanded and taken from the hirer of such carriage; and if the carriage be a stage carriage, the amount of fare which may legally be demanded and taken for the carriage of passengers between or to the termini or several places of call of or on the route of such stage carriages; and every owner offending against this section shall forfeit a sum not exceeding Five pounds.

42. *Carriage lights.*—The owner of every hackney carriage or stage carriage used in plying for hire or passengers, and of every private vehicle, motor, and tram car, bicycle, and velocipede travelling or being driven after sunset and before sunrise, shall cause the same to be provided with proper lights, and the driver or conductor of such carriage shall keep the same properly lighted while such carriage shall be so used; and every owner or driver offending against this section shall forfeit a sum not exceeding Forty shillings.

43. *Lamps inside stage carriages.*—The owner of every stage carriage shall cause to be placed and kept inside thereof a lamp, in such manner and position as shall have been appointed by some regulation in that behalf, and the conductor, or if there be no conductor, the

*Municipalities.*TENTH SCHEDULE—*continued.*

the driver of such carriage shall keep the said lamp properly lighted whenever such carriage shall be used to ply for hire or carry passengers at any time after sunset and before sunrise; and every owner, conductor, or driver offending against this section shall forfeit a sum not exceeding Forty shillings.

44. *Property left in carriages.*—All property left by any passenger in any stage carriage shall be given up to the conductor of such carriage, or if there be no conductor, to the driver, upon pain of a penalty of not exceeding Twenty pounds to be paid by any person refusing or neglecting to give up any such property belonging to another person; and the conductor or driver of every such carriage to whom any property shall be so given up, and every conductor or driver of any such carriage and driver of a hackney carriage who respectively shall find in the carriage any property so left shall, within two days next after the same shall have been left, carry the property in the state in which the same shall have come to his hands to the office of the Council of the municipality the Council of which granted the license of such driver or conductor, and deposit and leave such property with the Town Clerk of such municipality, and every conductor or driver offending against this section shall forfeit a sum not exceeding Twenty pounds.

45. *Entry and restitution, etc., of lost property.*—The Town Clerk with whom any such property shall be deposited shall forthwith enter in a book to be kept by him at the said office for that purpose the description of such property, and the name and address of the conductor or driver who shall have brought the same, and the day on which it shall have been brought; and the property so entered shall be returned to the person who shall prove to the satisfaction of the said Council that the same belongs to him, such person previously paying all expenses incurred together with such reasonable sum to such conductor or driver as with reference to the value of the property in question the said Council shall award: Provided that if such property shall not be claimed by and proved to belong to some person within six months after the same shall have been so deposited (the same having been advertised in such manner as the Council shall direct) such property shall be delivered up to the conductor or driver who deposited the same, provided he shall apply for the same within one month after the expiration of the said six months; and in default of such application the Council shall cause such property to be sold, and the proceeds thereof shall be carried to the municipal fund.

46. *Leaving carriage unattended.*—If the driver of any hackney carriage or of any stage carriage shall leave such carriage unattended in any street, whether public or private, or at any place of public resort or entertainment, whether such carriage, if a hackney carriage, be hired or not, any constable may drive away such carriage and deposit the same, with the horses harnessed thereto, at some neighbouring place of safe custody, and such driver shall forfeit a sum not exceeding Forty shillings for such offence; and in default of payment of the said penalty on conviction, and of the expenses to be awarded by the adjudicating Justice of taking and keeping the said carriage and horses, the same, together with the harness belonging thereto, or any of them, may, by order of such Justice, be sold, and after deducting from the proceeds of the said sale the amount of the said penalty and costs (if any) and of the said expenses so awarded and expenses of the said sale, the surplus, if any, shall be paid to the owner of the said carriage.

47. *Feeding horses in the street, etc.; muzzles.*—No driver of any hackney carriage or stage carriage in any street, whether public or private, or in any public place, shall feed any horse attached to such carriages save by means and out of a nose-bag containing the forage and attached to the head of such horse, or shall remove the blinkers of any such horse, and every driver of any such carriage to which any vicious horse shall be attached shall keep such horse, while standing on any stand, or in any such street or place as aforesaid, properly muzzled; and every driver offending against this section shall forfeit a sum not exceeding Forty shillings.

48. *Suffering another to drive, etc., without consent of owner.*—No person authorised by the owner of any hackney carriage to act as driver thereof, or by the owner of any stage carriage to act as driver or conductor thereof, shall suffer any other person to act as driver or conductor, as the case may be, of such carriage without the consent of the owner; and no person, whether licensed or not, shall act as driver or conductor of any such carriage without the consent of the owner; and any person so suffering another person to act as driver or conductor, and any person so acting as driver or conductor without such consent as aforesaid, shall forfeit a sum not exceeding Forty shillings.

49. *Owner may be summoned to produce driver or conductor.*—When any complaint shall be made before any Justice against the driver of any hackney carriage, or the driver or conductor of any stage carriage for any offence committed by him against the provisions of this subdivision, it shall be lawful for such Justice, if he shall think proper, forthwith to summon the owner of such carriage to produce before him, or such other Justice as shall then be present, the driver or conductor by whom such offence was committed to answer such complaint; and in case such owner, after being duly summoned, shall fail to produce the driver or conductor, it shall be lawful for the Justice before whom such driver ought to be produced (if he shall think fit) to proceed in the absence of such driver or conductor to hear and determine the case in the same manner as if he had been produced, and to adjudge payment by the owner of any penalty or sum of money, or both, and costs, which the driver or conductor shall, being convicted, be adjudged or ordered to pay; and any sum of money which shall be so paid by the owner may be recovered by him before any Justice from the driver or conductor by whose default such sum shall have been paid, upon proof of the payment thereof, pursuant to the order of the Justice having ordered such payment and upon proof of the service of the notice next hereinafter mentioned.

50. *Penalty for not producing driver or conductor.*—If the Justice before whom any such owner shall be so summoned as last aforesaid shall deem it proper, it shall be lawful for him, when such owner shall fail to produce his driver or conductor without any satisfactory excuse, to be allowed by such Justice to impose a fine not exceeding Forty shillings upon such owner, and so from time to time, as often as he shall be summoned in respect of such complaint, until he shall produce his driver or conductor; and every owner so summoned to produce his driver or conductor shall cause to be given to such driver or conductor, or to be left at the abode specified in his license, or (if such license shall expire after the offence committed and before the hearing of the complaint) at his usual place of abode, a written notice of the time and place when and where such driver or conductor shall be required to attend; and if such

*Municipalities.*TENTH SCHEDULE—*continued.*

such driver or conductor shall not attend, according to such notice, it shall be lawful for a Justice to issue a warrant for his apprehension; and if after such notice any driver or conductor shall, without a reasonable excuse to be allowed by the Justice, neglect or refuse to attend at the time and place therein mentioned, or (having previously left the service of the owner so summoned as aforesaid) shall not at the time and place of his attendance produce his license, he shall forfeit the sum of Forty shillings, and so from time to time as often as he shall so neglect or refuse.

51. *Compensation where complaint against driver, etc., dismissed, etc.*—If the driver of any hackney carriage, or the driver or conductor of any stage carriage, be summoned or brought before a Justice to answer any complaint or information made or laid by a private person touching or concerning any offence alleged to have been committed by such driver or conductor against the provisions of this Act, or of any regulation made under this Act, and such complaint or information shall afterwards be withdrawn, quashed, or dismissed, or if such driver or conductor be acquitted of the offence charged against him, such Justice, if he shall think fit, may order the complaint or informant, in addition to any costs awarded, to pay to such driver or conductor such compensation for his loss of time in attending such Justice touching or concerning such complaint or information as to such Justice may seem reasonable.

52. *Lawful fare, how recovered.*—If any person, without lawful excuse, refuse to pay on demand to any owner or driver of any hackney carriage, or to any owner, driver, or conductor of any stage carriage, the fare allowed and limited by any regulation in that behalf, and due under such regulation, any Justice may order payment of the same.

53. *Wilful injury to carriage by passengers.*—Any passenger, in or by any hackney carriage or stage carriage plying under a license granted hereunder, who wilfully injures the same shall forfeit a sum not exceeding Five pounds, and shall also pay to the owner of such carriage such reasonable satisfaction for the damage so caused as shall upon the hearing be awarded and ordered by the adjudicating Justice.

54. *Carriages to be kept in good order.*—The owner of every hackney carriage and stage carriage shall at all times, when plying or employing such carriage for hire, have the same in good order, with the harness sufficient, perfect, and in good condition, and the whole ready and sufficient for duty, with the driver, and horse or horses fit and competent to perform any drive or distance that may be reasonably required, and in default shall forfeit a sum not exceeding Five pounds.

55. *Carriages loading and unloading.*—No driver shall place any carriage across or athwart any street within the municipality for the purpose of taking up or setting down passengers, or of loading or unloading luggage, or otherwise than close to and parallel with the kerb of the footway, and any driver offending against this section shall forfeit a sum not exceeding Forty shillings.

56. *Regulations.*—The Council of every municipality in which this sub-division shall be in force, may from time to time make regulations for all or any of the purposes following, that is to say:—

For appointing, subject to the limits herein prescribed, the several sums to be paid for licenses for hackney carriages, stage carriages, drivers, and conductors.

For regulating the manner in which the name of the municipality and the number of each carriage corresponding with the number of its license shall be displayed thereon.

For regulating the conduct of the owners, drivers, and conductors of hackney carriages and of stage carriages plying within the prescribed space in their several employments, and determining whether such drivers or conductors shall wear any and what badges, and for regulating the days and hours within which they may exercise their calling.

For regulating, either by relation to the nature and dimensions of the carriage and the number of horses required to draw the same, or all or any of these or otherwise, the number of persons to be carried by hackney carriages and stage carriages, and in what manner such number is to be shown upon such carriage, and in what position and manner the lamp, where required hereby to be placed inside stage carriages, is to be placed therein.

For fixing the following local matters, namely—the standings of hackney carriages and of stage carriages, whether separately or otherwise, and the number of such carriages to be allowed at any such standing, and the mode in which such carriages are to stand thereon and the routes and places of call for stage carriages, and the time during which each such stage carriage shall be allowed to remain at any such place, and the times and succession for the starting and the running of such stage carriages.

For fixing the rates or fares, as well for time as for distance, to be paid for hackney carriages and by passengers in stage carriages, and the mode in which such rates or fares are to be painted or marked on every such carriage.

(2.) CARTS AND CARTERS.

57. *Interpretation.*—The word “cart” shall for the purposes of this sub-division include every wagon, dray, van, or other such carriage, whatever be its construction, drawn by horses or other animals, used wholly or chiefly for the carriage of burthens or heavy goods; the word “wood-cart” shall mean a cart used in the hawking of firewood for sale; the word “water-cart” shall mean a cart used in the hawking of water for sale; and the word “night-cart” shall mean a cart used in the carrying or removing of night-soil, offal, or other offensive refuse.

58. *Licenses for carts.*—The Council may, if they shall see fit, from time to time license to ply for hire within the municipality such carts as respectively, after inspection had by the authority of the Council, shall be found fit for public use, and also such carts to be used in hawking wood or water for sale respectively, or both wood and water, and also such carts to be used and ply for hire or to be employed as night-carts as shall after the like inspection be found fit for such purposes respectively; and for every such license there shall be paid to the Council granting the same such sum not exceeding Twenty shillings as shall with respect to each kind of cart aforesaid be directed by some regulation in that behalf.

59. *Application for license.*—Every such license shall be granted on the written application for the same of the owner, or, if there be more owners than one, of some one

*Municipalities.*TENTH SCHEDULE—*continued.*

one owner of the cart to be licensed; and in every such application shall be set forth truly the name and surname and place of abode of the applicant, and the like shall be set forth in the license when granted; and any person who shall wilfully omit from any such application any particular hereby required to be stated therein, or shall wilfully state anything falsely touching any such particular, shall forfeit a sum not exceeding Twenty pounds.

60. *Numbering, etc., of licenses and carts.*—Every such license shall be numbered, so that no two or more licenses granted under this sub-division by the Council of any municipality shall bear the same number, and shall be registered with such number by the Town Clerk in a registry-book to be kept for the purpose, and shall be in force for one year only from the date thereof, or until the next general licensing day (if any) which shall have been appointed by the Council; and the owner named in any such license shall cause to be painted or marked, and to be kept so painted or marked, on some conspicuous place on the right or off-side of the cart thereby licensed the name of the municipality the Council of which shall have granted such license, with the number of such license, in legible letters and figures, one inch in length and of a proportionate breadth, and the words "licensed cart" in the like letters; and every such owner who shall omit or fail to comply with the provisions of this section shall forfeit a sum not exceeding Forty shillings.

61. *Contents of license for night-cart.*—In every license granted for any night-cart, in addition to the particulars hereinbefore required to be set forth, there shall be set forth the hours between which it shall be lawful, as herein provided, that such night-cart be used as such, and the places at which shall be lawful as aforesaid to deposit the night-soil, offal, or offensive refuse or matter.

62. *License for cart may be extended to hawking of wood or water.*—The town clerk of any municipality by the Council of which any cart (not being a night-cart) shall have been licensed to ply for hire as aforesaid may and shall from time to time, upon application by the owner named in such license, make and sign with his name, without fee or reward, an indorsement on such license being still in force authorising, during the currency of such license, or for less time as may be stated in such indorsement, the use of such cart for the hawking for sale, within the municipality, of wood or of water, or of both wood and water, and forthwith upon making such indorsement shall make an entry thereof in a proper column of the registry book aforesaid against the entry of such license; and every authority so indorsed upon any such license shall, while the same shall be in force, have the effect of and be deemed for all purposes to be a license of the like tenor granted under this sub-division.

63. *Plying for hire, etc., without license, etc.*—If any owner of any cart permits the same to stand or ply for hire, or to be used as a wood-cart or as a water-cart, or to ply for or be used for hire, or to be used as a night-cart, without having a license in force for such cart, licensing or authorising such standing, plying for hire, or use respectively, or if any person be found standing or plying for hire with any cart, or using any wood-cart or water-cart, or plying for hire or using any night-cart for which respectively no such license is in force, or without having the name of the municipality by the Council of which the license for such cart shall have been granted, and the number of such license, and the words "licensed cart" displayed upon such cart openly

and in manner herein provided, every such person so offending shall forfeit a sum not exceeding Forty shillings.

64. *Registration of private carts.*—The owner of every cart kept within the municipality, and not used in standing or plying for hire, or for any other of the purposes hereinbefore in this sub-division mentioned, shall in each year apply to the town clerk of the municipality that such cart be registered, and shall truly state at the same time to the said town clerk the name and place of abode of such owner, and, if such cart have been previously registered in the municipality, the number of such registration; and such town clerk shall forthwith register the said cart, and enter the said particulars in a register book to be kept for the purpose, numbering all such entries with a number, but so that in no case shall any two such entries bear the same number, save in the case of such previous registration, in which case the second and all subsequent entries of the cart shall bear the number of the said previous registration; and the town clerk shall issue to such owner a certificate signed by such clerk of such registration, bearing the number thereof, and the name and place of abode of such owner; and every such registration shall be of effect until such day in each year as the Council shall, by general order for that purpose, have appointed, and no longer; and every such owner shall cause such number to be painted or marked on the cart, and kept so painted or marked in the like position and manner as is herein required in the case of licensed carts.

65. *Penalty for not registering.*—Every owner of any such cart as in the last preceding section aforesaid, who in any year keeps any such cart within any municipality without having registered the same in such year in the manner therein aforesaid, or without having caused such number to be so painted or marked as aforesaid, and keeping the same so painted or marked on such cart, shall for such default forfeit a sum not exceeding Forty shillings, and a further sum not exceeding Five shillings for every day during which such default continues after any conviction for the same under this section.

66. *Driver to hold and produce license.*—No person shall act as the driver of a licensed cart without having a driver's license from the Council of the municipality, which license the Council is authorised to grant on being satisfied that the person applying for the same is a person of good character and proper skill and fitness; and every such license shall be registered by the town clerk of the municipality the Council whereof shall grant the same, and a fee of Two shillings and Sixpence shall be paid for the same.

The driver of every licensed cart shall hold the license for such cart, and shall, when required by any constable or by any officer of the Council of any municipality, or by any person wishing to hire or having hired the same, produce for the inspection of the person so requiring such license and his license as a driver, and also a copy of the table of rates and charges appointed as herein provided; and every such driver who shall, on being so required, refuse or neglect so to produce such license or copy shall forfeit a sum not exceeding Forty shillings.

67. *Acting as driver without license.*—Any person acting as driver of any licensed cart without having such license as aforesaid in force for the time being, or if he lend or part with the same, or if the owner of any licensed

*Municipalities.*TENTH SCHEDULE—*continued.*

licensed cart employ any person as driver thereof who is not licensed as aforesaid, every such driver and every such owner shall for every such offence respectively forfeit a sum not exceeding Forty shillings.

68. *Abusive language by driver.*—Every owner or driver of any cart who uses any abusive or insulting language to any person who wishes to hire or has hired such cart, or if the same be then employed as a wood-cart or water-cart who shall deal with such owner or driver for the purchase of or have immediately before purchased of him any wood or water of the loading of such cart respectively shall forfeit a sum not exceeding Five pounds.

69. *Omission to carry when required; exacting excessive hire; plying elsewhere than on stand.*—Every owner or driver of any cart licensed to stand or ply for hire, which shall stand upon any standing appointed for the purpose, or shall be in any street, who, when required by any person who after sunrise and before sunset any day, wishes to hire or has hired such cart, refuses or neglects, without reasonable excuse, to carry for a single load such weight as shall have been appointed as herein provided, or any less weight, to any place within the municipality; and every such owner or driver who demands and takes for the hire of such cart a greater sum than that appointed as herein provided, or who, without reasonable excuse, refuses or neglects to load or unload such dray when hired, so far as he can without assistance; or who stands or plies for hire with such cart elsewhere than at some standing or place appointed as aforesaid, shall for every such offence forfeit a sum not exceeding Forty shillings.

70. *Leaving cart unattended, etc.*—If the driver of any cart shall leave the same unattended in any street, whether public or private, or shall go for a distance of more than two yards from the side of such cart, being in any such street, without passing through the near wheel or wheels thereof a suitable chain or chains, strap or straps, so as effectually to prevent the rotation of such wheel or wheels, whether in any such case such cart be hired or not, such driver shall in every such case forfeit a sum not exceeding Forty shillings for such offence; and where such cart shall have been so left unattended, any constable or traffic inspector may drive away such cart and deposit the same, with the horses harnessed thereto, at some neighbouring place of safe custody; and in default of payment of the said penalty on conviction for such last-mentioned offence, and of the expenses to be awarded by the adjudicating Justice of taking and keeping the said cart and horses, the same, together with the harness belonging thereto, or any of them, may by order of such Justice be sold, and after deducting from the produce of the said sale the amount of the said penalty and costs (if any) and of the said expenses so awarded, and expenses of the said sale, the surplus (if any) shall be paid to the owner of the said cart.

71. *Feeding horses in the streets, etc.; muzzles.*—No driver of any cart in any street, whether public or private, or in any public place, shall feed any horse attached to such cart, save by means and out of a nose-bag containing the forage, and attached to the head of such horse, or shall remove the blinkers of any such horse; and every driver of any cart to which any vicious horse shall be attached shall keep such horse while standing on any stand, or in any such street or place as aforesaid, properly muzzled; and every driver offending against this section shall forfeit a sum not exceeding Forty shillings.

72. *Wood or water-cart standing at improper places.*—Every owner or driver of any licensed wood-cart or water-cart for the time being employed as such respectively who shall stand with such cart, save for such reasonable time as may be necessary for loading or unloading the same, elsewhere than at some standing appointed for wood-carts or water-carts (as the case may be), shall forfeit a sum not exceeding Forty shillings.

73. *Water carter to have name, etc., marked on premises.*—Every owner of a licensed water-cart shall cause his name and the words "licensed water-cart" to be painted or marked, and kept painted or marked, in legible letters one inch in length and of a proportionate breadth, in white on black ground, or in black on white ground, in some conspicuous place outside the premises where such cart is kept; and if any such owner shall fail to comply with the provisions of this section he shall forfeit a sum not exceeding Forty shillings.

74. *Suspension or revocation of license.*—The Council having granted any license under this sub-division, may at any time, if it shall be proved to their satisfaction that the owner or driver of the cart thereby licensed has been convicted of any offence against this Act, or of any offence in respect of any property entrusted to him as such owner or driver, suspend for any stated time, or on the like proof of a second such conviction, or of any two such convictions, suspend for any stated time or revoke, as seems to them fit, such license; and no license while suspended under this section or otherwise shall be deemed to be of any force or virtue hereunder.

75. *Lights for carts.*—The driver of every cart which shall, during the hours after sunset of any day and before sunrise of the following day, be in any street or public place within the municipality shall keep a good serviceable carriage lamp securely fixed and lighted at each side of the front of such cart, so as to be plainly visible to the driver of any carriage proceeding along or through such street or place in a contrary direction to that in which such first-mentioned cart shall be directed, and, in the case of a night-cart only, such light shall be such and be so disposed as to appear white in front, and every driver who shall fail to comply with this section shall forfeit a sum not exceeding Five pounds.

76. *Carts improperly loaded.*—No driver shall carry or convey any matter or thing within the municipality (except hay, straw, furniture, or other bulky articles which cannot be otherwise carried or conveyed) in such manner that the same shall project more than one foot laterally beyond the wheels of such cart, or more than thirty inches from the side of any beast of burden on which the same may be carried or conveyed, or so as to obstruct any person, carriage, or beast of burden, and every driver offending against this section shall forfeit a sum not exceeding Forty shillings.

77. *Carts not to obstruct foot passengers.*—No driver of any cart shall stop or place any such cart at or near the intersection of any street in the municipality in such manner as to cross the footway or prevent foot passengers from crossing the street in the direction and line of the footway on the side of such street, or cause any obstruction or partial obstruction of any street; and every driver offending against this section shall forfeit a sum not exceeding Forty shillings.

78. *Loading and unloading carts.*—Every cart whilst loading or unloading in any street, public or private, in front of any house, shop, store, or warehouse, shall be drawn up close to and in a right line with the kerb of the footway and parallel

*Municipalities.*TENTH SCHEDULE—*continued.*

parallel with the front wall of such house, shop, store or warehouse; and every driver of such cart who shall permit or suffer the same to be drawn up or placed otherwise than as aforesaid, or who shall permit or suffer such cart to be backed into any street channel so as the horse or horses attached to the same shall face the centre of the street, or who shall remain or occupy any space in a street for the purpose of loading or unloading for a longer space than twenty minutes, shall forfeit a sum for each such offence not exceeding Five pounds: Provided that this section shall not apply to the unloading of material that can be immediately shot out of such cart, but in no case shall any cart be allowed to be drawn up facing the centre of any street for a longer period than three minutes at one time.

79. *Removing night-soil, etc.*—Every owner or driver of any cart who shall use or employ the same in loading, carrying, removing, or depositing any night-soil, offal, or other offensive refuse or matter within the municipality, save between such hours of the night, or shall deposit the same, save at such places as respectively shall have been appointed by some regulation in that behalf, shall forfeit a sum not exceeding Five pounds.

80. *Regulations.*—The Council of every municipality in which this sub-division shall be in force may from time to time make regulations for all or for any of the purposes following, that is to say:—

- For appointing the several sums to be paid for licenses for carts;
- For appointing the weight to be carried for a single load by any cart licensed to stand or ply for hire;
- For appointing the standings for carts licensed to ply for hire, not being night-carts, and for wood-carts and water-carts respectively;
- For appointing the rates and charges as well for time, distance, or weight, or all or any of these, to be paid for the hire of any licensed cart;
- For appointing the places at which, and the hours between which it shall be lawful to load, carry, remove, or deposit night-soil, offal, or other offensive refuse or matter.

(3.) PORTERS.

81. *Porters' licenses.*—The Town Clerk shall from time to time issue to every person who shall desire to ply for hire as a porter, and deliver to him a written application for a license so to do, together with a certificate signed by two ratepayers that the applicant is of good repute and a fit person to receive such license, and who shall pay to such Town Clerk such sum not exceeding Ten shillings, as shall have been appointed by some regulation in that behalf, a license to be called a porter's license, numbered so that no two such licenses shall bear the same number, and containing the name and address of the applicant; and the Town Clerk shall forthwith enter into a registry book, to be kept for that purpose, the number of and other matters contained in such license, and shall deliver to the person thereby licensed a table of the rates and fares appointed for porters, as herein provided, and a badge upon which shall be engraved the initial letter or letters of the words expressing the name of the municipality and the number of such license.

82. *Plying as porter without license; production of license, etc.*—No person shall ply for hire as a porter within the municipality, or shall wear any badge as a

licensed porter, unless he shall have a license in force under the provisions hereof licensing him as such porter; and every licensed porter, when required by any constable or any officer of the Council, or by any person wishing to hire, or having hired such porter, shall produce, for the inspection of the person so requiring the same, his license, and also the table of rates and fares aforesaid, and shall, whilst plying for hire, keep and wear upon his person, so as to be plainly visible, the badge aforesaid; and no licensed porter shall part with or transfer his license or badge to any person whomsoever; and every person offending against any of the provisions of this section shall, for every such offence, forfeit a sum not exceeding Forty shillings.

83. *Omission to convey, etc., when required.*—Every person plying for hire as a licensed porter within the municipality who shall be required by any person who, after sunrise or before sunset of any day, not being Sunday, wishes to hire, or has hired such porter to do within such municipality any proper work as such porter, and without reasonable excuse shall refuse or neglect so to do such work; and every person plying for hire as a porter who shall demand and take for hire as a porter any greater sum than that appointed as herein provided, or who shall use any abusive or insulting language to any person wishing to hire, or having hired such porter, shall forfeit a sum not exceeding Forty shillings.

84. *Suspension and revocation of license.*—It shall be lawful for the Council at any time, if it be proved to their satisfaction that any porter licensed for the municipality has been convicted of any offence hereunder, or in respect of any property entrusted to him as such porter, to suspend for a stated time, or on the like proof of a second such conviction, or of any two such convictions, to suspend for a stated time, or revoke, as seems to them fit, the license of such porter; and no license while so suspended or when so revoked shall be deemed to be of any force or virtue hereunder; and any Justice may order that the badge of any person whose license is so revoked be delivered up to the Town Clerk.

85. *Regulations.*—The Council may from time to time make regulations for appointing the sum to be paid for a porter's license, and the rates and fares to be taken by licensed porters.

PART IX.—REGULATION OF PROCEEDINGS OF COUNCIL, OFFICERS, ETC.

1. *General conduct of business.*—In all cases not herein provided for, resort shall be had to the rules, forms, and usages of Parliament, which shall be followed, so far as the same are applicable, to the proceedings of the Council.

2. *Minutes of meeting to be read at next subsequent meeting.*—At every meeting of the Council, the first business thereof shall be the reading and putting a question for the confirmation of the minutes of the proceedings at the preceding meeting, and no discussion shall be permitted thereon except as to their accuracy as a record of the proceedings, and the said minutes of the proceedings at the preceding meeting shall then be signed as by this Act required.

3. *Order of business at meetings.*—After the signing of the minutes as aforesaid, the order of business of an ordinary meeting shall be as follow, or as near thereto

*Municipalities.*TENTH SCHEDULE—*continued.*

as may be practicable, but for the greater convenience of the Council at any particular meeting thereof, it may be altered by resolution to that effect:—

- (1.) Announcements.
- (2.) Reading letters.
- (3.) Reception and reading of petitions and memorials.
- (4.) Reports of committees.
- (5.) Orders of the day.
- (6.) Notices of motion.

And the order of business at a general meeting shall be the order in which such business stands in the notice thereof.

4. *Divisions.*—Whenever a division shall be demanded by any councillor, the councillors voting in the affirmative shall first hold up their hands, and then those voting in the negative shall hold up their hands, and the result be declared by the chairman.

5. *Addresses to Governor.*—All addresses to the Governor shall be presented by the Mayor and the Town Clerk, unless otherwise ordered by the Council.

6. *Motions.*—All notices of motion shall be dated and numbered, and given by the intending mover to the Town Clerk at the close of the meeting of the Council, or if not required by law to be given at a meeting, then three clear days prior to the next meeting of Council; and such clerk shall enter the same in the notice of motion book, in the order in which they may be received.

7. *Notice of motion to be given.*—No member shall make any motion initiating a subject for discussion but in pursuance of notice given as prescribed in the last preceding clause.

8. *Petitions.*—No motion except that for receiving the same or to refer same to a committee shall, unless under most urgent circumstances, be made on any petition, memorial, or other like application until the next ordinary meeting of Council after that at which it has been presented.

9. *Motions to be moved in order in motion book.*—Except by leave of the Council, motions shall be moved in the order in which they have been received and recorded by the Town Clerk in the notice of motion book, and if not so moved or postponed shall be struck out.

10. *Motion to be proceeded with by councillor giving same except with consent.*—No motion entered in the notice of motion book shall be proceeded with in the absence of the councillor who gave notice of the same, unless by some other councillor producing written authority from him to that effect.

11. *Order, etc., of debate.*—Any councillor desirous of making a motion or amendment or taking part in discussion thereon shall rise and address the mayor, and shall not be interrupted unless called to order, when he shall sit down until the councillor calling to order shall have been heard thereon and the question of order disposed of, when the councillor in possession of the chair may proceed with the subject.

12. *Nature of motion to be stated.*—Any councillor desirous of proposing an original motion or amendment, must state the nature of the same before he addresses the Council thereon.

13. *Motion not to be withdrawn without leave.*—No motion or amendment shall be withdrawn without the leave of the Council.

14. *Motion to be seconded.*—No motion or amendment shall be discussed or put to the vote of the Council unless it be seconded, but a councillor may, however, require the enforcement of any standing order of the Council by directing the Mayor's or Chairman's attention to the infraction thereof.

15. *Mover of motion.*—A councillor moving a motion shall be held to have spoken thereon, but a councillor merely seconding a motion shall not be held to have spoken upon it.

16. *Designation of councillors.*—The councillors in meeting of Council shall designate each other by their official titles, namely, that of mayor, chairman, or councillor, as the case may require.

17. *Priority of councillors.*—If two or more councillors rise to speak at the same time, the Mayor shall decide which is entitled to priority.

18. *Councillor not to speak a second time on same question.*—No councillor shall speak a second time on the same question, unless entitled to reply, or in explanation when he has been misrepresented or misunderstood.

19. *Points of order.*—The Mayor, when called upon to decide on points of order or practice, shall decide the same, and his decision as to order or explanation in each case shall be final.

20. *Councillors not to digress, etc.*—No councillor shall digress from the subject-matter of the question under discussion, or comment upon the words used by any other councillor in a previous debate; and all imputations of improper motives, and all personal reflections on councillors, shall be deemed highly disorderly.

21. *Councillors to apologise for disorderly, etc., expression.*—Whenever any councillor shall make use of any expression disorderly or capable of being applied offensively to any other councillor, the councillor so offending shall be required by the Mayor to withdraw the expression and to make a satisfactory apology to the Council.

22. *Councillor called to order to sit down.*—A councillor called to order shall sit down unless permitted to explain.

23. *Councillor twice offending, guilty of an offence.*—Any councillor using offensive or disorderly language, and having been twice called to order or to withdraw and apologise for such conduct, and refusing so to do, shall be guilty of an offence.

24. *Strangers.*—Any person not being a councillor who shall, having been admitted to any meeting of the Council, be guilty thereof of any improper or disorderly conduct, or who shall not leave when lawfully requested by the Mayor so to do, may be forthwith removed by him, and shall be deemed guilty of an offence.

25. *Councillor may demand documents.*—Any councillor may of right demand the production of any of the documents of the Council applying to the question under discussion.

26. *Voting.*—The Council shall vote by show of hands, and any councillor present and not voting, not being disabled by law from so doing, shall be guilty of an offence.

27. *Question, how declared.*—The Mayor shall, in taking the sense of the Council, put the question first in the affirmative, then in the negative, and the result thereof shall be recorded in the minutes.

28.

*Municipalities.*TENTH SCHEDULE—*continued.*

28. *Motions, etc., to be in writing.*—At every meeting of the Council, all motions, whether original motions or amendments, shall be reduced into writing, signed by the mover, and delivered to the chairman immediately on their being moved and seconded.

29. *No second amendment until previous one disposed of.*—No second or subsequent amendment, whether upon an original proposition or on an amendment, shall be taken into consideration until the previous amendment is disposed of.

30. *Effect of rejection of words in original motion.*—If any words of an original question be rejected, the insertion of other proposed words shall form the next question, whereupon any further amendment to insert other words may be moved.

31. *If amendment be negatived, a second one may be moved.*—If an amendment be negatived, then a second may be moved to the question to which the first-mentioned amendment was moved, but only one amendment shall be submitted to the Council for discussion at a time.

32. *Mover of motion to have right of reply.*—The mover of every original proposition, but not of any amendment, shall have a right to reply, immediately after which the question shall be put from the chair; but no councillor shall be allowed to speak more than once on the same question, unless permission be given to explain, or the attention of the chair be called to a point of order.

33. *Motion for adjournment.*—No discussion shall be allowed on any motion for adjournment of the Council; but if on the question being put the motion be negatived, the subject then under consideration, or the next on the notice-paper, shall be discussed, or any other that may be allowed precedence, before any subsequent motion for adjournment be made.

34. *Protests.*—Any councillor may protest against any resolution of the Council, and notice of intention to protest shall in every case be given forthwith on the adoption of the resolution protested against; and the protest shall specify the reasons for protesting, and shall be entered three days at least before the next ordinary meeting of the Council by the protesting councillor in a book to be kept for that purpose in the office of the Town Clerk, and signed by such councillor, and shall be also entered in the minutes of the meeting at which notice of the intention to protest shall have been given previously to the confirmation thereof; but such protest may be expunged from the minutes if declared by a majority of the Council to be not in accordance with truth or in its terms disrespectful to the Council.

35. *Lapsed questions.*—If a debate on any motion moved and seconded be interrupted by the number of the councillors present becoming insufficient for the transaction of business, such debate may be resumed at the point where it was so interrupted, on motion upon notice.

36. *Lapsed Order of the day may be restored.*—If a debate on any order of the day be interrupted by such insufficiency of number as aforesaid happening, such order may be restored to the notice-book for a future day on motion upon notice, and then such debate shall be resumed at the point where it was so interrupted.

37. *Petitions.*—No petitions shall be presented after the Council shall have proceeded to the Orders of the day.

38. *Petitions to be respectful.*—It shall be incumbent on every councillor presenting a petition to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the Council, and that the contents do not violate any By-law or any provision hereof.

39. *Councillors to affix their names.*—Every councillor presenting a petition to the Council shall write his name at the beginning thereof.

40. *Petitions to be in writing.*—Every petition shall be in writing, and shall contain the prayer of the petitioners at the end thereof, and be signed by at least one person on every page on which it is written.

41. *To be signed by petitioners.*—Every petition shall be signed by the persons whose names are appended thereto by their names or marks, and by no one else, except in cases of incapacity by sickness.

42. *No letters, etc., to be attached.*—No letters, affidavits, or other documents shall be attached to any petition.

43. *Councillors confined to statement of certain facts.*—Every councillor presenting a petition to the Council shall confine himself to a statement of the persons from whom it comes, of the number of signatures attached to it, of the material allegations contained in it, and to the reading of the prayer thereof.

44. *Salaries of officers, etc.*—The salary or allowance attached to all offices and places at the disposal of the Council shall in all cases be fixed before they proceed to appoint any person to fill the same, before the advertisement inviting applications, and shall be specified in such advertisement.

45. *No councillor, etc., to be surety for officer.*—No councillor or officer of the Council, and no assessor or auditor of the municipality, shall be received as a surety for any officer appointed by the Council or for any work to be done for the Council.

46. *Suspension of rules.*—Any one or more of the rules or regulations contained in this sub-division may be suspended for a special purpose, and shall not otherwise be suspended, except by a two-thirds majority vote of the councillors present.

47. *Penalty.*—If any person shall be guilty of any offence or misfeasance, or negligent act of commission or omission contrary to any provision contained in this sub-division, he shall forfeit a sum not exceeding Five pounds.

Municipalities.

Eleventh Schedule.

Section 185.

A by-law of the Municipality of _____ made under
 Section 170 of the Municipal Institutions Act, 1900, and numbered _____
 for regulating the _____

In pursuance of the powers conferred by the said Act, the Mayor and
 Councillors of the Municipality of _____ order as follows:—
(here follows the by-law).

Passed this _____ day of _____

Twelfth Schedule.

Section 186.

A regulation of the Municipality of _____ made under
 the _____ Section of Part _____ of the Tenth Schedule to the Municipal
 Institutions Act, 1900, in force in the Municipality by virtue of a by-law of the
 above-named Municipality, numbered _____, for regulating _____

In pursuance of the Municipal Institutions Act, 1900, the Mayor and
 Councillors of the Municipality of _____ make the regulation following:—
(here follows the regulation).

Passed this _____ day of _____

A joint regulation of the Municipalities of _____ and _____
 made under the _____ section of Part _____ of the Tenth Schedule to the
 Municipal Institutions Act, 1900, in force in such Municipality by virtue
 of a by-law of the Municipality of _____ numbered _____ for _____

In pursuance of the powers conferred by the said Act, the Mayor and
 Councillors of the Municipality of _____ and the Mayor and Councillors
 of the Municipality of _____ making the following joint regulation:—
(here follows the joint regulation).

Thirteenth

Municipalities.

Thirteenth Schedule.

Section 338.

FORM OF THE RATE BOOK.

No. of Assessment.	Surname of occupier of property rated.	Christian Name of occupier of property rated.	Trade or Occupation.	Name of owner of rateable property.	Description and situation of rateable property.	Electoral District.	Net annual value.	Unimproved value.	Amount payable in respect of rate.

Fourteenth Schedule.

NOTICE VALUATION AND RATE.

Sections 341 and 344.

Year commencing 1st November and ending 31st October.

To

Notice is hereby given that the Council of the Municipality of nas
 ordered and directed that the property (or properties, as the case may be)
 hereinafter mentioned, of which you are the owner (or occupier), is valued and
 rated as hereinafter appears.

No. of Assessment.	Land Rated.	Annual Value.	Unimproved Value.	Rate in the £.	Amount payable in respect of rate.

You are hereby required to pay the above amount of £ to the
 office of the Council in moieties on the first day of January, £
 and the first day of July, £ And if the same be not paid within
 30 days of the said dates, a warrant will be forthwith issued by the Mayor for the
 recovery of the same with costs.

Dated this day of

Date of service

Town Clerk.

N.B.—You are requested to bring this notice with you when you come to pay.

Council Office,

1

Received the amount of the rates above mentioned.

Town Clerk.

To

Municipalities.

To be indorsed as follows:—

Any person served with this notice may appeal against the valuation put upon any land as regards the amount thereof or the manner in which such valuation has been made, or otherwise howsoever, to the Council of the Municipality, by serving a notice in writing, stating the grounds of his appeal, on the Town Clerk within thirty days after service of this notice, and upon payment of the amount claimed to the Town Clerk.

In case of an appeal from the Council to the Local Court the appeal must be entered for hearing within ten days after service of the notice of appeal at the sitting of the Local Court next after the expiration of ten days from the entry of such appeal, and the sum of One guinea must be deposited with the clerk of the Local Court to answer costs, and also serve a like notice upon the Town Clerk.

Fifteenth Schedule.

Section 351.

SCALE OF COSTS.

	s.	d.
For every warrant of distress	1	0
For every levy	5	0

For man in possession, One shilling per hour for the first three hours, and if longer detained Seven shillings per day or part of a day.

For inventory, sale, commission, and delivery of goods, not exceeding One shilling in the pound on the net proceeds of the sale.

Sixteenth Schedule.

Section 352.

Municipality of.....

WARRANT OF DISTRESS.

To and his assistants.

Whereas the several persons whose names appear in the Schedule hereunder written are liable to make payment to the Council of the said Municipality of the sums set opposite to their respective names in accordance with the particulars and in respect of the lands respectively mentioned in the said Schedule, and demand for the payment of such sums has been respectively made in the manner prescribed by the Municipal Institutions Act, 1900, and default has been respectively made in such payment: These are therefore to authorise you forthwith to make distress of the several goods and chattels in the first place of the person or persons named in the said Schedule, if he, she, or they be then resident in the said premises

premises and have any goods and chattels there, and in case of a change of possession then upon the goods and chattels of any person or persons who is the occupier or occupiers in possession of the said premises so named in the said Schedule at the time of the execution of this warrant, and if within the space of five days next after the making of any distress under this warrant, the said several sums of money so distrained for, including any lawful charges for levy, inventory, sale, commission, and delivery of goods in each case are not paid, that then you do sell the said goods and chattels so by you distrained, and out of the money arising by such sale you retain the respective sums so due and owing according to the said Schedule, and render to the party or parties respectively whose goods you have sold the overplus, and that you certify to me on or before the _____ day of _____ what you have done by virtue of this warrant

Name of Ratepayers.	Description of Land rated.	Situation of Property.	Amount payable in respect of Rate.	Costs.	Total.
.			£ s. d.	£ s. d.	£ s. d.

Seventeenth Schedule.

FORM OF NOTICE.

Mayor.

(331)

Municipalities.

Eighteenth Schedule.

Section 359.

FORM OF CERTIFICATE OF SALE.

Whereas, by an order of the Supreme Court, dated the day of 1 ,
it was ordered that (*here describe the property ordered to be sold*) should be sold by
public auction by me, the undersigned, and the proceeds of such sale be dealt with
as in the said order mentioned; Now I, the undersigned, do hereby certify that
the said property was put up to sale by public auction on the day of ,
and that of , became the purchaser thereof, for the sum
of £ .

In witness whereof I have hereto set my hand this day of

A.D. 1 .

(Signed) A.B.

Nineteenth Schedule.

Section 368.

No.....

Debenture £.....

Issued by
Institutions Act, 1900.

under the provisions of the Municipal

Transferable by delivery.

This debenture was issued by the above-named Municipality, in pursuance
of a notice published in the *Western Australian Government Gazette* of the
day of and is to secure to [the bearer or the
registered holder, as the case may be] a principal sum of £ payable at
on the day of . Interest on the
rate of £ per centum per annum on such principal sum in the meanwhile
is payable by equal half-yearly payments on the day of
and the day of , and a coupon is annexed for each
payment, which entitles the bearer of such coupon thereto. Such principal sum
and interest are payable at and are charged in accordance with
the provisions of the above-named Act upon the municipal revenue of the
and are not otherwise secured. £ per cent. on the
amount of the loan will be invested every year in accordance with the said Act to
form a sinking fund.

Dated this day of 1

(L.S.)

A.B., Mayor.
C.D., Town Clerk.

Twentieth Schedule.

Section 376.

Municipality of.....

BALLOT PAPER.

Yes.

No.

The Voter, if he approves of the loan being obtained, will strike out the word
"No."

The Voter, if he disapproves of the loan being obtained, will strike out the
word "Yes."

Western Australia.

ANNO SEXAGESIMO QUARTO VICTORIÆ REGINÆ.

No. IX.

AN ACT to amend the Truck Act, 1899.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THE words "any medicine or medical attendance, or," in sub-section two of section nineteen of the Truck Act, 1899; and the words "medicine, medical attendance," in sub-section seven of section nineteen in the said Act, are hereby repealed; and section nineteen of the said Act is further amended by adding immediately after sub-section nine the following:—"Nor shall this Act extend or apply where any employer or his agent supplies or contracts to supply to any workman any medicine or medical attendance in any part of the Colony defined by the Governor by Proclamation for the purpose of this exemption; and the Governor may from time to time amend, alter, or revoke any such Proclamation."

Amendment of sec. 19
of 63 Vict., No. 15.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

By Authority: RICHARD PETHER, Government Printer, Perth.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. X.

Page 335.

64 Vict., No. 10.—Repealed by No. 9 of 1906.

WHEREAS by the Commonwealth of Australia Constitution Act the Posts, Telegraphs, and Telephones of Western Australia will, on a date to be proclaimed by the Governor General, become transferred to the Commonwealth, but the Post Office Savings Bank will continue, after that date, under the control of the Government of this Colony, and it is therefore necessary, as from such date, to remove the management of that Bank from the Postmaster General: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. THIS Act may be cited as the Post Office Savings Bank Act, 1900, and shall come into operation on the day when the Postal Department of Western Australia becomes, by proclamation of the Governor General, transferred to the Commonwealth.

Short title and commencement.

2.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. X.

AN ACT to amend the Post Office Savings Bank Consolidation Act, 1893.

[Assented to, 5th December, 1900.]

WHEREAS by the Commonwealth of Australia Constitution Act the Posts, Telegraphs, and Telephones of Western Australia will, on a date to be proclaimed by the Governor General, become transferred to the Commonwealth, but the Post Office Savings Bank will continue, after that date, under the control of the Government of this Colony, and it is therefore necessary, as from such date, to remove the management of that Bank from the Postmaster General: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. THIS Act may be cited as the Post Office Savings Bank Act, 1900, and shall come into operation on the day when the Postal Department of Western Australia becomes, by proclamation of the Governor General, transferred to the Commonwealth.

Short title and commencement.

2.

Post Office Savings Bank.

Savings Bank to be managed by Colonial Treasurer.

2. THE Post Office Savings Bank is hereby placed under the management and control of the Colonial Treasurer, and the Post Office Savings Bank Consolidation Act, 1893, shall be read as if the words "Colonial Treasurer" were substituted for the words "Postmaster General" wherever the same occur throughout that Act.

Amendment of 57 Vict., No. 3, s. 2, and s. 8 (2).

3. IN the second section of the said Act the words "Post Office Savings Bank" shall be substituted for the words "General Post Office," and, in section eight, sub-section (2), of the said Act, the word "place" is substituted for the words "Post Office."

Appointment of manager and officers,

4. (1.) THE Colonial Treasurer may appoint a manager and officers of the Post Office Savings Bank, and may prescribe their respective duties and pay them such salaries as are voted by the Parliament in that behalf. The present manager and officers shall be deemed to be appointed under this Act.

and agents.

(2.) The Colonial Treasurer may also appoint and, out of moneys voted as aforesaid, may remunerate agents who shall represent him elsewhere than in the Bank in respect of the business thereof.

Colonial Treasurer may make arrangements with authorities of Commonwealth for continuance of services.

5. (1.) THE Colonial Treasurer, with the approval of the Governor, may arrange with the postal authorities of the Commonwealth that the officers of the Post Office shall perform, on such terms as shall be agreed upon, all or any part of the duties which have hitherto been performed by such officers in connection with the Post Office Savings Bank.

(2.) In the event of such terms not being agreed upon, the Colonial Treasurer, with the approval of the Governor, may from time to time appoint and remove, and may remunerate as aforesaid, such officers and servants, and make such arrangements and do such acts and things as may be required for carrying on the business of the said bank, and may defray the cost of so doing out of moneys to be voted by the Parliament in that behalf.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XI.

AN ACT for the Extirpation of Noxious Weeds.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Noxious Weeds Act, 1900.

Short title.

2. THE Spanish Radish and Scotch Thistle Prevention Act, 1874, is hereby repealed.

Repeal of Act 38
Vict., No. 12.

3. . IN this Act, save so far as the context otherwise requires,—

Interpretation.

“Clear,” in relation to land, shall mean to cut down and keep cut down, or to grub or pull up the stems or roots of noxious weeds, so as to prevent any part of them from flowering

Noxious Weeds.

flowering, or to enclose with a sheep-proof fence, and to graze sufficient sheep thereon to prevent noxious weeds from flowering:

“Inspector” shall mean an inspector appointed under this Act:

“Minister” shall mean the Minister presiding over the Department of Agriculture:

Schedule.

“Noxious Weeds” shall mean the plants mentioned in the Schedule hereto, and such other plants as the Governor, by proclamation, shall declare to be noxious; but, as regards plants so declared to be noxious only in a part or parts of this Colony, shall only bear that meaning in the part or parts in which they are declared by such proclamation to be noxious.

The Governor may declare plants to be noxious weeds.

4. THE Governor may, at any time, on the recommendation of a municipal council, road board, or of the advisory board of the Department of Agriculture, by proclamation published in the *Government Gazette*, declare any plants to be noxious weeds, either generally or in any particular locality, and may from time to time, on the like recommendation, revoke any such declaration.

Inspectors.

5. THE Governor may from time to time appoint such inspectors and other persons, with such powers and functions as he deems necessary to carry out the provisions of this Act.

Inspectors and persons authorised may enter upon land to search for noxious weeds.

6. IT shall be lawful for any inspector or any other person authorised in that behalf by the Minister, without notice, to enter upon any land for the purpose of ascertaining if any noxious weeds are growing thereon, and no such inspector or other person shall be deemed a trespasser by reason of such entry.

Penalty for not destroying noxious weeds after notice.

7. IF an inspector, or other person as aforesaid, reports to the Minister that any noxious weed is growing upon any land, the Minister may cause notice (a copy of which shall be delivered to the local authority of the District in which the land is situated) to be served upon the owner or occupier thereof to clear the land and the adjacent half of any road within such time as shall be specified in the notice, and if any owner or occupier, after such notice shall have been served upon him, or left for him at his usual or last known place of abode, shall not, within the time specified in such notice, have cleared the land, every such owner or occupier being convicted thereof shall be liable to a penalty of not less than Five pounds and not exceeding Fifty pounds, to be recoverable before two or more Justices of the Peace in

Noxious Weeds.

in a summary way: Provided that, in the case of sheep or cattle runs, such notice shall specify as nearly as possible upon what portion or portions of the land the noxious weed is growing: Provided, also, that it shall be lawful for any such Justices to suspend any conviction upon being satisfied that the person so receiving such notice has used and is using reasonable exertion to destroy such weed.

8. IF there is no occupier of any such lands, then notice as aforesaid may be given by advertisement in the *Government Gazette*, and every notice so given shall be deemed and taken to be sufficient notice to the owner of such land, from the time of its being so published as aforesaid: Provided that it shall not be necessary for such notice to specify the name of any person as owner of the land therein referred to, and provided, also, that no owner of any such land shall be liable to any payment beyond the expense of, and occasioned by, the destruction and eradication of the said weeds upon such land, and upon such adjacent half of the road, as hereinafter provided, together with the costs of suit.

Where no occupier of land, notice may be given in *Government Gazette*.

9. IF any such owner or occupier shall refuse or neglect to destroy the weeds specified in any such notice within the time therein stated, it shall be lawful for any person authorised in that behalf by the Minister to destroy and eradicate the same, and for that purpose, with sufficient assistants, to enter upon any lands in respect whereof any such notice shall have been given as aforesaid; and the Minister shall be entitled to recover from such owner or occupier the expense of and attending such destruction and eradication, together with the costs of suit by action or plaint in any Court of competent jurisdiction.

If noxious weeds not destroyed after notice, persons authorised may enter for the purpose of destroying them.

10. THE Minister may, on report being made to him by any municipal council or roads board, or the advisory board of the Department of Agriculture, that any noxious weed is growing upon any unoccupied Crown land adjacent to any freehold or leasehold estate, clear such land of such noxious weed.

Minister may clear unoccupied Crown land.

11. AS between owner and occupier, the expenses of clearing the land of noxious weeds shall be borne as follows:—If the occupier at the time of the service of the notice has a right of occupation for six years or more, he shall bear the whole of the cost; if for four years but less than six years, he shall bear two-thirds of the cost; if for two years but less than four years, he shall bear one-third of the cost; but if for less than two years, the owner shall bear the whole of the cost; and either party paying more than his proportion may recover the excess from the other: Provided that any

Apportionment of expenses between owner and occupier.

Noxious Weeds.

any owner having only a partial interest, present, future, or contingent, paying a sum beyond what is proportioned to such interest, may recover the same from any other owner or owners, or shall be entitled to a charge on the land for such excess.

Provision for ex-
penses.

12. ALL expenses incurred in the administration of this Act shall be paid out of the moneys to be appropriated by Parliament for the purpose.

Regulations.

13. THE Governor may make regulations for carrying this Act into effect.

Appropriation of
penalties.

14. ALL penalties under this Act shall be paid to the Colonial Treasurer for the public use of the Colony.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE.

Stinkwort (*Inula graveolens*).

Bathurst Burr (*Xanthium spinosum*).

Nutgrass (*Cyperus rotundus*).

64 Vict., No. 12.—*See* No. 10 of 1924.

ANNO SEXAGESIMO QUARTO
VICTORIÆ REGINÆ.

No. XII.

AN ACT to facilitate the Investment in
Western Australian Government Securities
of Trust and other Funds in the United
Kingdom.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parlia-
ment assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Trustees Colonial Investment
Act, 1900.

Short title.

2. THIS Act shall apply to all bonds, debentures, scrip,
inscribed stock, and other securities heretofore or hereafter created
or issued on behalf of the Government of Western Australia and
secured by or charged upon the public revenues, or forming part of
the

*Securities to which
Act applies.*

Trustees Colonial Investment.

the public debt of Western Australia, in respect of money borrowed under the authority of any Act heretofore or hereafter passed by the Parliament of Western Australia, each and all of which securities are hereinafter referred to as "Western Australian Government securities."

Authority for payments under judgments or orders of Court without further appropriation.

3. (1.) WHENEVER by the final judgment, decree, rule, or order of any Court of competent jurisdiction in the United Kingdom any sum of money is adjudged, or declared to be payable by the Government of Western Australia in respect of any Western Australian Government securities, the Colonial Treasurer shall forthwith pay the same in London without further appropriation than this Act.

(2.) For the purposes of this section "final judgment, decree, rule, or order" means, in case of appeal, the final judgment, decree, rule, or order of the ultimate Court hearing the appeal.

(3.) Without in any way limiting the foregoing provisions of this section, it is hereby declared that, in the case of such Western Australian Government securities as are colonial stock to which the Imperial Act intituled "The Colonial Stock Act, 1877," applies, the Colonial Treasurer shall, without further appropriation than this Act, forthwith pay in London whatever sums may from time to time be required in order to enable the registrar of such stock to forthwith comply with any judgment, decree, rule, or order with which, under section twenty of the Imperial Act aforesaid, the registrar is required to comply.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XIII.

AN ACT to authorise the raising of a sum of Seven Hundred and Ninety Thousand Pounds by Loan for the construction of certain Public Works, and other purposes.

[Assented to, 5th December, 1900.]

WHEREAS it is expedient to authorise the raising, by way of Loan, of certain sums of money amounting in all to Seven hundred and ninety thousand pounds for the several purposes hereinafter mentioned: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. THIS Act may be cited for all purposes as the Loan Act, 1900.

Short title.

2. IT shall be lawful for the Governor, from time to time, to raise by way of Loan such several sums of money, not exceeding in the whole the sum of Seven hundred and ninety thousand pounds, as may be required for the several works and purposes mentioned in the Schedule to this Act.

Power to raise money for certain purposes.

3.

Loan Act, 1900.

Sums raised, how to
be applied.

3. ALL sums by this Act authorised to be raised shall be paid to the Colonial Treasurer, and shall be by him placed to the credit of an account to be called The General Loan Fund, and shall be applied by the Colonial Treasurer to the purposes set forth in this Act, in such amounts and manner as the Governor by any warrants under his hand may from time to time authorise and direct, in conformity with the annual Estimates of the expenditure of Loan moneys sanctioned by Parliament.

Contribution to
Sinking Fund.

4. THE contributions to the Sinking Fund for the repayment of the sum by this Act authorised to be raised shall commence four years from the date of the first issue of the Debentures or Inscribed Stock.

Principal and
interest charged on
Revenue.

5. THE principal moneys and interest raised and secured by the Stock to be created and sold, under the authority of this Act, shall rank *pari passu* with the principal moneys and interest raised and secured by the Stock created and sold under the Loan Act, 1891, and all subsequent Loan Acts, and are hereby charged upon and shall be payable out of the Consolidated Revenue Fund and Assets of the Government of Western Australia, and shall constitute a charge thereon, subject to the prior charges mentioned in the fourth section of the Loan Act, 1891.

Advances on
account.

6. THE Governor may from time to time, by warrant under his hand, authorise the Colonial Treasurer to advance and apply, to the purposes set forth in the Schedule of this Act, any sums of money not exceeding in the whole the sum hereby authorised to be raised, and any sums of money so advanced and paid shall be retained by the Colonial Treasurer out of any moneys coming to his hands under the authority of this Act.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Loan Act, 1900.

THE SCHEDULE.

I.—HARBOUR AND RIVER IMPROVEMENTS.

* Fremantle Harbour Works	... ..	£120,000
Lighthouses	... ..	10,000
Stock Jetty and Approaches at Point Sampson, near Cossack, (£12,000); Albany Harbour Works (£3,000); Carnarvon Harbour Works (£1,500); Derby Harbour Works (£6,000); Fremantle Sea Wall and Esplanade (£4,500); Ashburton River Water Supply (£3,000)	... ..	30,000
		<hr/> £160,000

II.—RAILWAYS.

Additions and Improvements to Opened Railways	... ..	£70,000
Boulder Railway Duplication Construction (second instalment)		20,000
Boulder-Brown Hill Loop Line	... ..	14,000
Donnybrook towards Bridgetown Railway (final instalment)		5,000
Northam towards Goomalling Railway (final instalment)	... ..	20,000
Rails and Fastenings	... ..	100,000
Rolling Stock	... ..	100,000
Surveys New Lines (including Malcolm to Laverton, and Fremantle <i>via</i> Jandakot to South-Western Railway, and Boulder to Kalgoorlie <i>via</i> Boulder and Kalgoorlie Racecourses, etc.); also Preliminary Inspection of route from Kalgoorlie to Eucla	... ..	6,000
		<hr/> £335,000

III.—DEVELOPMENT OF GOLDFIELDS AND MINERAL RESOURCES.

Erection of Public Batteries	... ..	£30,000
Development generally, £16,000; Murchison and Peak Hill Goldfields, £4,000	... ..	£20,000
		<hr/> £50,000

IV.—DEVELOPMENT OF AGRICULTURE.

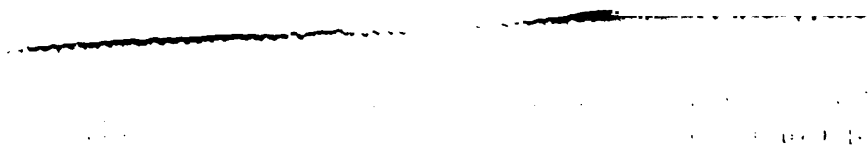
Development of Agriculture, including Drainage	£15,000
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V.—DEPARTMENTAL.

Departmental	£30,000
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VI.—MISCELLANEOUS.

Discounts on Loans (to be distributed as may be necessary over items on Loan Schedules)	£200,000
		<hr/> £790,000



Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XIV.

AN ACT to impose certain Customs Duties
subject to the provisions of the Common-
wealth of Australia Constitution Act.

[Assented to, 5th December, 1900.]

WHEREAS by the ninety-fifth section of the Commonwealth of Australia Constitution Act it is provided, amongst other things, that, notwithstanding anything in the said Act contained, the Parliament of Western Australia may, during the first five years after the imposition of uniform duties of Customs, impose certain duties of Customs on goods passing into Western Australia and not originally imported from beyond the limits of the Commonwealth: And whereas the Federal Commonwealth of Australia will be established on the first day of January, 1901: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. THE duties of Customs in force in Western Australia at the date of the imposition of uniform duties of Customs under the Commonwealth of Australia Constitution Act, so far as they relate to goods passing into Western Australia, and not originally imported from

Certain Customs
duties of Western
Australia to continue
in force.

Certain Customs Duties to continue in force under Commonwealth.

from beyond the limits of the Commonwealth, are hereby imposed as from such date, and shall continue in force, subject only to the provisions of section ninety-five of the said Act.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XV

Page 349. 64 VICT., No. 15.—See 1 & 2 Edwd. VII., No. 20.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Land Act Amendment Act, 1900, and shall be construed as one with the Land Act, 1898, hereinafter referred to as the principal Act.

Short title.

2. SECTION seventeen of the principal Act is amended by striking out all the words after "*Government Gazette*," and by inserting in lieu thereof: "Provided that if two or more applicants shall lodge applications for the same land on the same day, or if two or more applications for the same land are received through the Post Office on the same day, the applications shall be deemed to be lodged or received at the same time. In such case the right of priority shall be determined by lot, in the manner prescribed in the next following section; but the Minister may, in lieu thereof, in his discretion appoint such persons as he may think fit to hold an inquiry and select the person to whom the land shall be granted."

Amendment of 62
Vict., No. 37, sec. 17.

3.

Land Act—Amendment.

Amendment of sec.
66 of 62 Vict., No. 66.

3. SECTION sixty-six of the principal Act is amended by striking out "homestead lease or," in line four thereof, and by striking out, after the word "prescribed," in line six, the words "and a sum of at least four shillings an acre has been expended on it in statutory improvements," and by striking out the word "Minister," in line seventeen, and inserting "Governor" in lieu thereof.

Amendment of sec.
66 of 62 Vict., No.
37.

4. THE following words in section sixty-six of the principal Act are hereby repealed:—"The Minister may estimate the value of the improvements remaining to be made, and upon the licensee or conditional purchaser entering into a covenant to continue to pay rent under the terms of his lease or license until the rent so covenanted to be paid amounts to the half of such estimated value."

Extension of sec. 66
to grazing leases.

5. THE provisions of section sixty-six of the principal Act shall extend to grazing leases granted under Part VI. thereof, and to homestead leases granted under the Homesteads Act, 1893.

Amendment of 62
Vict., No. 37, sec. 69.

6. SECTION sixty-nine of the principal Act is amended by inserting, in line two thereof, immediately after the word "Crown," the words "and such lessee is eligible to select or hold land as a grazing lease."

Governor may dis-
pense with certain
improvements to
homestead farms.

7. WHERE in the case of any homestead farm granted under section seventy-eight of the principal Act, or under the Homesteads Act, 1893, a habitable house, costing not less than thirty pounds, has been erected, or, in lieu thereof, thirty pounds has been expended in clearing, or clearing and cropping, or, in lieu thereof, two acres of orchard and vineyard have been properly prepared and planted, and kept in good order, and the Minister is satisfied that a sum equal to Thirty shillings an acre of one-fourth of the acreage of the holding has been expended in clearing and cropping within five years from the date of the occupation certificate, and a further sum of Thirty shillings an acre of one-fourth of the said acreage has been likewise expended within seven years from the same date, and that, from the nature or situation of the land, or the composition of the soil, or because of the heavy nature of the clearing, its further cultivation would be out of proportion to the probable returns, or otherwise impracticable, the Governor may discharge the lessee from obligation to make further improvements.

Amendment of sec.
102 of 62 Vict., No.
37.

8. SECTION one hundred and two of the principal Act is hereby amended by striking out the words "or more than twenty thousand acres, at a rental of ten shillings per thousand acres," in the fourth and fifth lines thereof, and by substituting the words "at the same rental prescribed for pastoral leases within the division in which the land is situated."

9.

Land Act—Amendment.

9. SECTION one hundred and thirty of the principal Act is amended by inserting, in line one, after the word “split,” the word “remove.”

Amendment of 62
Vict., No. 37, sec.
130.

10. SECTION one hundred and thirty-four of the principal Act is amended by striking out the words “and registered,” in the first line of sub-section two.

Amendment of 62
Vict., No. 37, sec. 134.

11. SECTION one hundred and forty-six of the principal Act is struck out, and the following is inserted in lieu thereof:—

Amendment of 62
Vict., No. 57, sec.
146.

146. ON the expiration by effluxion of time of any pastoral lease not open to renewal on the same or any other conditions to the same lessee, or upon any pastoral lessee being deprived by the Minister, acting under this Act, of the use of any land held under a pastoral lease and comprised within an agricultural area or reserve, the pastoral lessee shall, subject to the provisions of this Act, receive from the Minister the fair value of all lawful improvements then on the land of which the lessee has been deprived, or which being outside such land and comprised in such pastoral lease have become lessened in value by reason of such deprivation. If a pastoral lease be renewed to a succeeding lessee, the previous lessee shall be entitled to receive from the succeeding lessee the fair value of all such improvements existing on the land. The amount of compensation to be paid to a lessee by the Minister or a succeeding lessee for improvements shall, in all cases, be determined, as far as may be, in the manner prescribed in section one hundred and forty-eight of this Act, as if the Minister or the succeeding lessee were a selector.

Minister to pay for
improvements in
certain cases.

12. SECTION one hundred and forty-eight of the principal Act is struck out, and the following is inserted in lieu thereof:—

Amendment of 62
Vict., No. 37, sec.
148.

148. THE holder of a pastoral lease shall be entitled to claim from any person who, under this Act, selects the whole or any portion of such pastoral lease the fair value of any lawful improvements then existing upon the land applied for, or which being outside such land but comprised in such pastoral lease have become valueless or lessened in value by reason of the pastoral lessee being deprived of the land selected:—

- (1.) The value of such improvements shall be ascertained by one competent person appointed by the selector and one by the lessee; any difference of opinion between such valuers to be determined by the Resident Magistrate of the district acting as umpire.

Arbitrators to be
appointed.

(2.)

Land Act—Amendment.

Pastoral lessee to be notified of application.

Selector to be notified of lessee's claim.

Selector may refuse to pay.

Date of arbitration to be fixed by Minister.

Meeting of arbitrators.

Amount of award to be paid within sixty days.

Party in default to be bound by arbitrator attending.

Costs.

- (2.) Within sixty days from the date on which the lessee is informed by the Minister that any land has been applied for in his pastoral lease, the lessee shall furnish the Minister with a full and complete statement of the improvements (if any) for which he claims compensation, and shall, at the same time, name a competent person as his arbitrator. The Minister shall thereupon inform the selector of the claim of the lessee, and shall require the selector to forward to him the amount claimed within sixty days of the date of the notification: Provided that if the land is not surveyed at the time it is selected, the said sixty days shall commence to run from the date on which the lessee is informed that the land has been surveyed.
- (3.) If the selector thinks that the improvements are rated at more than their value, he may, within the sixty days allowed, inform the Minister that he refuses to pay the amount claimed, and shall then name an arbitrator to meet the arbitrator of the lessee at the Court House of the District on a day to be fixed by the Minister, and the Minister shall notify the selector and lessee accordingly.
- (4.) The arbitrators shall meet and decide upon the amount to be paid; any difference of opinion to be determined by the Resident Magistrate for the district acting as umpire, and the decision arrived at shall be final. The Resident Magistrate may adjourn such arbitration if he think fit, and in such case shall notify the parties accordingly. The amount fixed shall, within sixty days, be paid to the Resident Magistrate, who shall pay it to the lessee, forwarding the receipt of the lessee for the money to the Minister.
- (5.) If either of the arbitrators fails to attend, the case shall be heard and decided by the other arbitrator attending, and in the event of neither party attending, the claim for improvements shall be considered as withdrawn.
- (6.) The arbitrators shall have power to award such costs as in their opinion shall be deemed sufficient; not, however, exceeding in any case Fifty pounds.

(7.)

Land Act—Amendment.

- (7.) Provided always, that nothing herein contained shall prevent any pastoral lessee from removing, with the Minister's permission, any such improvements which, in the opinion of the Minister, are capable of removal without permanently deteriorating the value of the land on which they are, if such removal is carried out within three months from the approval of the application to purchase.

Removal of improvements.

13. SECTION one hundred and fifty-two of the principal Act is amended by inserting, in line six, immediately after the word "town," the words: "for taking, diverting, conserving, and using water for mining, industrial, and other purposes, or for."

Amendment of 62 Vict., No. 37, sec. 152.

14. THE Governor may, by notice in the *Government Gazette*, define and set apart for residential leases any unalienated town, suburban, or rural lands, and may in like manner declare any such land as open for selection, and may withdraw any such land from being so open, and may, by regulations, prescribe the terms and conditions on which such leases may be granted. ~~Before any land is~~

Residential leases.

Page 353.

64 Vict., No. 15.—Section 14 amended by No. 29 of 1906: Strike out all the words after "area" in the ninth line.
in fee simple.

15. A NOTICE inserted in the *Government Gazette*, signed or purporting to be signed by the Minister or the Under Secretary for Lands, to the effect that any lease, license, or other holding is forfeited for default in payment of rent, or for breach or non-observance or non-performance of the conditions thereof, shall be deemed equivalent to a re-entry and recovery of possession by or on behalf of the Crown within the meaning of the proviso for re-entry expressed in or implied by the lease, license, or other instrument.

Gazette notice to be equivalent to re-entry.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

1900, Page 355. 64 Vict., No. 16.—*See Constitution of Commonwealth, Sec. 90, and No. 8 of 1901 (Commonwealth).*

relating to Distillation.

[*Assented to, 5th December, 1900.*]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Distillation Act, 1900, and shall come into operation one month after the passing thereof.

Short title.

2. THE Acts mentioned in the First Schedule hereto are hereby repealed.

*Repeal.
Schedule I.*

3. IN this Act, unless the context otherwise requires,—

“Colonial Spirits” means spirits distilled in Western Australia and liable to excise duty;

*Interpretation.
35 Vict., 6, s. 153.*

“Distiller”

Distillation.

Distillation Act,
1884 (S.A.), s. 3.

- “Distiller” means a person holding a “Distillation License,” as hereinafter defined ;
- “Distillery” means the premises of any distiller or wine manufacturer where the process of distillation, or rectifying, or compounding of spirits is carried on, and all spirit stores and buildings connected therewith or appurtenant thereto ;
- “Feints” means spirits produced by the re-distillation of low wines ;
- “Illicit spirits” means spirits produced and made contrary to this Act, and spirits on which the full duty has not been paid ;
- “Imported spirits” means all imported spirits and strong waters liable to a duty of Customs ;
- “Impurity” means any substance other than ethylic alcohol and water ;
- “Inspector” means the Chief Inspector of Distilleries ;
- “Any Inspector” means the Chief Inspector of Distilleries or any other Inspector of Distilleries.
- “Low wines” means all spirits drawn and produced by one distillation of wash ;
- “Officer” means any officer of Customs, and any inspector or any officer appointed by the Chief Inspector of Distilleries for any of the purposes of this Act ;
- “Premises,” when used with reference to a distiller or rectifier, means any building or place used by him and of which entry is required to be made ;
- “Prescribed” means prescribed by any regulations made by the Governor under this Act ;
- “Proof” means the ordinary and conventional degree of strength indicated as such by Sykes’ hydrometer ;
- “Spent Wash” means the liquor which may remain in the wash after the low wines have been extracted by distillation ;
- “Spirits” means alcohol, brandy, whisky, rum, gin, low wines, feints, cordials, liqueurs, wines, and spirits of any sort, including all liquors mixed with spirits, and all mixtures, compounds, or preparations made with spirits containing more than thirty-five per centum of proof spirits ;
- “Spirit Merchant” means a vendor of duty-paid spirituous liquors, wine, or fermented malt liquors in quantities not less

Distillation.

less than one gallon, and any person who exposes the same for sale in any shop, warehouse, or premises, except an auctioneer or broker selling on account of a licensed wine and spirit merchant, or brewer, or a licensed publican ;

“ Still ” includes the head or worm, and any part of a still or apparatus connected therewith or appurtenant thereto, and any apparatus whatever for the making, distilling, compounding, or rectifying of spirits ;

“ Wash ” means all materials in which, after being mashed for use in the process of fermentation, fermentation has commenced, but which have not been distilled ;

“ Wine ” means the fermented juice of the grape ;

“ Winemaker ” means a person (not holding a wine manufacturer’s license) who makes wine from grapes or other fruit, and may require to purchase spirits for the purpose of fortifying such wine ;

“ Wine Manufacturer ” means a person holding a wine manufacturer’s license as hereinafter defined ;

“ Worts ” includes all materials intended to be used in the process of distillation after the same have been mashed and before fermentation has commenced therein.

4. THIS Act shall be divided into Parts, as follows:—

Division of Act.

PART I.—OF THE LICENSING AND WORKING OF STILLS USED BY WINE MANUFACTURERS AND THE SUPPLY OF SPIRITS, DUTY FREE, FOR FORTIFYING WINE.

Distillation Act, 1884 (S.A.), s. 4.

PART II.—OF THE LICENSING AND WORKING OF STILLS USED BY DISTILLERS, AND THE DISPOSAL OF SPIRITS.

PART III.—OF THE LICENSING AND WORKING OF STILLS FOR CHEMICAL, MANUFACTURING, AND OTHER PURPOSES.

PART IV.—OF LICENSES IN GENERAL.

PART V.—OF THE REMOVAL OF SPIRITS AND SUPERVISION OF STILLS.

PART VI.—OF DUTIES ON SPIRITS.

PART VII.—OF OFFICERS, SEIZURES, PROCEDURE, AND PENALTIES.

PART

Distillation.

PART I.—OF THE LICENSING AND WORKING OF STILLS USED BY
WINE MANUFACTURERS AND THE SUPPLY OF SPIRITS, DUTY
FREE, FOR FORTIFYING WINE.

Wine manufacturer's
distillation license.

See 35 Vict., 6, s. 10.
Distillation Act,
1884 (S.A.), s. 5.

Schedule 2.

5. WHERE any person or any company is in the actual occupation of any vineyard or orchard of not less than twenty-five acres in extent, in full bearing, and is engaged in the making of wine, the Colonial Treasurer may, on the written application of such person or company, grant to such person or to an officer of the company a license to be called a "Wine Manufacturer's License," in the form in the Second Schedule hereto. The application shall specify the size and description of the still intended to be used and shall have annexed thereto a correct drawing of such still and of the premises where the same is intended to be used.

The holder of such license is hereby authorised to keep and use upon such vineyard or orchard a still of not less than fifty gallons capacity, for the purpose of distilling spirits from the fermented juice of the grape or other fruit, being the produce of such or any other vineyard or orchard.

The spirits so distilled, except as hereinafter excepted, shall be used only for fortifying wines the property of and on the premises of such wine manufacturer, so that when such wines are fortified they shall not contain more than thirty-five per centum of proof spirit and shall be pure and untainted with fusel oil or other deleterious substance: Provided that wine manufacturers may use spirits lawfully distilled by them for the purpose of washing and cleansing casks.

Certificate of
applicant's fitness to
be produced and
bond executed.

See 35 Vict., 6, ss.
10, 14, Distillation
Act, 1884 (S.A.), s. 6.

6. BEFORE such license is granted, the person applying for the same shall produce to the Chief Inspector of Distilleries a certificate, signed by two Justices of the Peace or by a Resident or Police Magistrate, certifying that the applicant is in actual occupation of not less than twenty-five acres of land planted with vines or fruit trees, in full bearing, and is a fit and proper person to hold such license; and the applicant shall, with two good and sufficient sureties, to be approved by the Colonial Treasurer, execute a bond to him in a penal sum of Five hundred pounds, conditioned that the applicant will not use or suffer use to be made of the still in respect of which he is licensed for any other purposes than such as are authorised by his license and further conditioned for the due observance of this Act and of all Regulations made hereunder.

Spirit cellar and
store-room to be
provided.

7. EVERY wine manufacturer shall provide upon his premises a cellar or store-room built of stone, brick, or concrete, wherein all spirits made on the premises, and all wines containing more than
thirty-five

Distillation.

thirty-five per centum of proof spirit, shall be deposited and kept securely locked by such wine manufacturer until required for the purpose of fortifying wine, or washing or cleansing casks, or blending as hereinbefore mentioned; and all spirits so made shall be conveyed into such cellar or store-room, and shall be secured in such manner as the inspector shall direct; and all such spirits or wines found in any other place or places on the said premises than the said cellar or store-room, in quantity greater than five gallons in the aggregate, shall be forfeited, and such wine manufacturer shall thereby become liable to a penalty of Fifty pounds, together with an additional penalty of Forty shillings for every gallon of spirits so found in excess: Provided that spirits requiring to be rectified may be removed from the said cellar or store-room to the still-room for the purpose of re-distillation.

35 Vict., 6, s. 12,
Distillation Act, 1884
(S.A.), s. 7.

8. (1.) UPON payment of a Sixpence per gallon proof for colonial spirits, and Two shillings and sixpence per gallon proof for imported spirits, any wine manufacturer may remove from such cellar or store-room such quantity of spirits as may be required for the purpose of fortifying wines the property of such wine manufacturer (but so that such wines, when so fortified, shall not contain more than thirty-five per centum of proof spirit), or for washing or cleansing casks, or for blending.

Removal of spirits
for fortifying wines.

Distillation Act,
1884 (S.A.), s. 8.

See 35 Vict., 6, s. 18.

(2.) All spirits so removed from such cellar or store-room for fortifying such wines or blending shall be mixed on the premises of the proprietor in the presence of an inspector or with his written permission.

(3.) Provided that, if such wine manufacturer has a surplus of spirits more than sufficient for fortifying his wines, the inspector may grant permission in writing to the proprietor to sell or dispose of the same once in every month during the year, under the supervision of an inspector or officer, upon payment of the duties chargeable on such spirits, or to remove the same to a duly licensed bonded warehouse.

(4.) Any wine manufacturer acting in contravention of this section shall be liable to a penalty not exceeding One hundred pounds.

9. EVERY wine manufacturer shall keep a journal, which shall be provided by the Government Printer at cost price, in the form in the Third Schedule hereto, showing:—

Return to be
furnished.

Distillation Act,
1884 (S.A.), s. 9.

See 35 Vict., 6, ss.
11, 19.

Schedule 3.

The day of notice of commencing and of having ceased to distil being posted and delivered, and where;

The date given in such notice for commencing to distil;

The day given in such notice for ceasing to distil;

The

Distillation.

The days when actually distilling, and number of hours at work in each day ;

The materials distilled from ;

The total quantity of proof spirits distilled during the month ;

The total quantity, in proof gallons, on hand from last month ;

The total quantity of proof gallons purchased for fortifying wine ;

The total quantity, in proof gallons, disposed of during the month, showing the manner in which the same has been disposed of ;

The stock on hand, in proof gallons, at the end of the month ;

And the quantity of wine fortified during the month.

And shall, within seven days after the end of each month, deliver or send to the inspector, at his principal office, by means of a registered letter, a copy of such journal, and of the entries (if any) therein during the month just ended, in the form of the Fourth Schedule hereto, also to be provided by the Government Printer at cost price.

Schedule 4.

If any such wine manufacturer neglects to keep such journal as aforesaid, or to forward a copy thereof as aforesaid, or makes, or is party or privy to making any false entry therein, he shall be liable to a penalty of not less than Fifty pounds nor more than Two hundred pounds.

Wine manufacturer to produce books, answer questions, and permit testing.

Distillation Act, 1884 (S.A.), s. 10, altered in form.

See 35 Vict., 6, sec. 48.

10. (1.) EVERY wine manufacturer shall, when so required, produce on his premises to any inspector or officer, or any duly authorised officer of police, the journal before mentioned, and shall produce and exhibit the whole of the spirits, wines, or spirituous compounds on such premises, and shall also permit such official to gauge and take such samples as he may deem necessary of all spirits, wines, or spirituous compounds on the premises of such wine manufacturer, and shall, when so directed by any of such officials, set up the casks so required to be gauged and tested for the purpose of testing or analysing, and shall truly answer all questions put by any of the officials aforesaid relative to the entries in the journal, whether such answers tend to render such wine manufacturer liable to any penalty or not.

(2.) Every wine manufacturer who shall fail to comply with the requirements of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine not less than Fifty pounds and not exceeding Five hundred pounds.

11.

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11. (1.) EVERY wine maker who desires to remove, take away, or have delivered to him any spirit for the purpose of fortifying and blending wine, the produce of Western Australia, or for washing or cleansing his casks, from any cellar, store-room, or bonded warehouse, shall execute a bond to the Colonial Treasurer, with two sufficient sureties, to be approved of by him, in the sum of Two hundred pounds, conditioned for the using of such spirit only for the purposes aforesaid and only in the presence of an inspector.

Spirits to be delivered from cellar, store-room, and bonded store in presence of an inspector or officer, and a bond to be first executed.

Distillation Act, 1884 (S.A.), s. 11, altered in form.

See 35 Vict., 6, s. 18.

(2.) Such wine maker, upon giving bond as aforesaid, and upon payment of a fee at the rate of Two shillings and sixpence per gallon proof for imported spirits, and Sixpence per gallon proof for colonial spirits, may obtain from the Chief Inspector of Distilleries his warrant for the delivery of such spirits in the form contained in the Fifth Schedule hereto, and every person receiving such delivery shall use such spirits only for the purposes aforesaid, and on his own premises, and in the presence of an inspector or officer.

Schedule 5.

(3.) Every person who acts in contravention of this section shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine not exceeding One hundred pounds.

12. BY the permission of the inspector, and in accordance with any conditions prescribed by him, any person holding a license under this Act may take samples for trade purposes from any cask of spirits in his possession.

Permission to take samples of spirits for trade purposes.
Distillation Act, 1884 (S.A.), s. 12.

13. EVERY wine maker shall keep a journal in the form in the Sixth Schedule hereto, to be furnished by the Government Printer at cost price, showing:—

Wine maker to keep journal.

Ibid., s. 13.

Schedule 6.

- (1.) The quantity in proof gallons on hand at the end of the previous month ;
- (2.) The quantity in proof gallons purchased or otherwise obtained for fortifying wine ;
- (3.) The quantity in proof gallons used for fortifying wine ;
- (4.) The quantity in proof gallons used for washing or cleansing casks ;
- (5.) The quantity in proof gallons on hand at the end of the month ;
- (6.) The quantity of wine fortified.

And every such wine maker shall, within seven days after the end of each month, deliver or send to the inspector, at his principal office, by means of a registered letter, a copy of such journal for the month then ended, in the form in the Seventh Schedule hereto.

Schedule 7.

If

Distillation.

If any such wine maker neglects or refuses to keep a journal, or forward a copy thereof as aforesaid, or makes or is party or privy to making any false entries therein, he shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of not less than Fifty pounds nor more than Two hundred pounds.

Unlawful hours for distilling.

Ibid., s. 14.

14. (1.) A DISTILLER must not, without the permission of the inspector, use a still on any day between the hours of six o'clock in the afternoon and eight o'clock in the forenoon, or between the hours of one o'clock in the afternoon of Saturday and eight o'clock in the forenoon of Monday, or at all on Sunday, Christmas Day, or Good Friday, or any duly proclaimed public holiday.

(2.) But a distiller may use his still with the permission of the inspector, and upon such terms as the inspector may think proper to impose, during such prohibited hours and on such prohibited days, except Sunday, Christmas Day, and Good Friday.

(3.) If a distiller contravenes this section he shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of Fifty pounds.

PART II.—OF THE LICENSING AND WORKING OF STILLS USED BY DISTILLERS, AND THE DISPOSAL OF SPIRITS.

Application for license.

35 Vict., 6, s. 4.

15. A PERSON desirous of obtaining a license to distil or to rectify and compound spirits shall apply by memorial addressed to the Colonial Treasurer for such license, and such memorial shall describe the premises where such distillation is to be carried on, and shall be accompanied by a plan thereof showing the situation of the still and all other vessels and apparatus to be used on such premises, together with the dimensions and capacity of all such vessels and apparatus, and such plan shall contain such other particulars as shall from time to time be directed by the Colonial Treasurer to be given.

See *ante*, s. 6.

Before such license is granted the applicant shall, with two good and sufficient sureties to be approved by the Chief Inspector of Distilleries, execute a bond to him in the penal sum of Five hundred pounds, conditioned that the applicant will not use or suffer use to be made of the still, vessels, or apparatus on the premises in respect of which he is licensed for any other purposes than such as are authorised by his license and further conditioned for the due observance of this Act and of all regulations made hereunder.

Distillation License.

Distillation Act,
1894 (S.A.), s. 16.

16. THE Colonial Treasurer may grant to any person who has applied to him, as hereinbefore provided, a license, to be called a "Distillation License," in the form in the Eighth Schedule hereto, which

Distillation.

which shall authorise such person to have and use on his premises (to be specified in such license) a wine still of a capacity of not less than eighty gallons, and a feints or spirit still of not less than forty gallons, or a distilling apparatus capable of exhausting not less than fifty gallons of wash in the hour, for the purpose of distilling spirits from the fermented juice of the grape or other fruit, potatoes, roots, or grain, or any produce of Western Australia.

See 35 Vict., 6, ss. 5, 6.

Schedule 8.

17. A DISTILLATION License granted pursuant to the last preceding section may, if the Colonial Treasurer thinks fit, authorise the person to whom it is granted to have and use on his premises (to be specified in such license) an apparatus for distilling in accordance with the said section, and consisting of more than one still, subject to the following conditions:—

One apparatus consisting of not less than six stills may be licensed.

Distillation Act, 1884 (S.A.), s. 17.

- (1.) The apparatus shall not consist of more than six stills ;
- (2.) No such still shall be of a less capacity than forty gallons ;
- (3.) The whole apparatus shall be so contrived and placed that the use thereof may be supervised by the proper officer as readily as in the case of an apparatus consisting of a single still, or, if not so contrived and placed, any additional expense caused thereby, in the employment of additional supervision or otherwise, shall be paid by the holder of the license to the Colonial Treasurer or such person as he shall appoint for that purpose.

18. EVERY person applying for a Distillation License shall furnish to the Colonial Treasurer a certificate signed by a Resident or Police Magistrate, or by two Justices of the Peace, certifying that such person is, in the opinion of the person or persons so certifying, a fit and proper person to hold a Distillation License ; and before such license shall be issued the applicant shall execute a bond to the Colonial Treasurer, with two good and sufficient sureties to be approved by him, for the sum of One thousand pounds, and each surety for the sum of Five hundred pounds, conditioned that such applicant will not make use of such still, or suffer it to be made use of for any other purposes than such as are authorised by the license, and further conditioned for the due observance of the provisions of this Act and of all regulations made thereunder.

Applicant for Distillation License to furnish certificate of fitness, and execute bond with sureties.

Ibid., s. 19.

See 35 Vict., 6, s. 8.

19. UPON the premises of every distillery licensed under this part there shall be an office fit and proper for the safe custody of the Government's books, accounts, and instruments, and convenient for the accommodation of the officer on duty, and upon obtaining his license the distiller shall deliver the key and give over possession of the said office to the inspector, and shall thereby relinquish all right to the occupancy of

Office for the inspector.

35 Vict., 6, pt. s. 32.

Distillation.

of the said office so long as he shall hold a license, or as there shall remain in the store-room of the licensed premises any spirit upon which the duty has not been paid. Every distiller failing to comply with this section shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine not exceeding One hundred pounds.

Distiller working more than ten miles from Perth to find lodgings for officers.

Ibid., pt. s. 32.

Distillation Act, 1884 (S.A.), s. 20.

20. IF the premises in respect of which the license is granted are situate more than ten miles from the Post Office at Perth, the Colonial Treasurer may, if he thinks fit, make it a condition to the granting of the license that the distiller shall provide, to the satisfaction of the inspector, lodgings for the officers to be placed in charge of the distillery. The lodgings must be conveniently situate, and must form part of the distillery or of the distiller's dwelling-house, and the rent charged for them, unfurnished, must not exceed Twenty pounds a year. If a distiller to whom a license is granted on these terms fails to provide the lodgings, or to keep them in repair, or interrupts any officer residing therein in his use or enjoyment thereof, the Colonial Treasurer may suspend or revoke the license.

Spirit cellar or store-room to be provided.

See Distillation Act, 1884 (S.A.), s. 21.

See 35 Vict., 6, ss. 17, 33.

21. EVERY distiller shall provide a cellar or store-room wherein all spirits made by him shall be placed and securely locked until required to be removed for sale on payment of duty or fortifying wine, bonding, or exportation; and every such cellar or store-room shall be of brick or stone, and the windows thereof shall be fastened or secured by bars of iron one inch thick and firmly fixed in the masonry or brickwork at not more than six inches apart, and the only entrance thereto shall be by a stout door sheeted on the inside with iron and fastened by two locks, of one of which the key shall be kept by the distiller and of the other of which the key shall be kept by the inspector.

All spirits not removed within two months from the date of distillation shall be placed in a bonded warehouse unless the inspector is of opinion that it is absolutely necessary that such spirits should be kept longer in such cellar or store-room, in which case he may give permission for such spirits to be so kept for a further period not exceeding two months.

Returns to be furnished.

Distillation Act, 1884 (S.A.), s. 22.

See 35 Vict., 6, s. 81. Schedule 9.

22. EVERY distiller shall keep a journal, to be provided by the Government Printer at cost price, in the form in the Ninth Schedule to this Act, showing:—

The date of notice of commencing or having ceased to distil being posted or delivered, and where;

The date given in such notice for commencing to distil;

The date given in such notice for ceasing to distil;

The

Distillation.

The days when actually distilling, and the number of hours worked in each day ;

The materials distilled from ;

The total quantity, in proof gallons, distilled during the month ;

The total quantity, in proof gallons, on hand from last month ;

The total quantity, in proof gallons, disposed of during the month, showing the manner in which the same has been disposed of ;

The stock on hand, in proof gallons, at the end of the month ;

And such distiller shall, within seven days after the end of each month, deliver or send to the inspector, at his principal office, by means of a registered letter, a copy, in the form (to be provided by the Government Printer at cost price) of the Tenth Schedule hereto, of the entries in such journal during the month just ended ; and if any such distiller neglects to keep such journal and forward the copy thereof as aforesaid, or shall make, or be party or privy to making any false entry therein, he shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Fifty pounds nor more than Two hundred pounds.

Schedule 10.

23. EVERY distiller shall, when so required, produce to any inspector or officer, or duly authorised officer of police, the journal before-mentioned, and permit him to gauge and take such samples of all spirits, wines, and spirituous compounds found on the premises of such distiller as such inspector or officer, or officer of police may deem necessary for the purpose of testing or analysing, and shall truly answer all questions put by the inspector or any officer as aforesaid relative to the entries in such journal ; and every distiller who does not produce and exhibit upon his own premises, when required by such inspector or any officers as aforesaid, such journal, and the whole of the spirits, wines, and spirituous compounds on hand, and permit the same to be gauged, tested, and inspected, or who does not answer, or fails to answer truly all questions put to him as aforesaid relative to the entries in the journal, or the manufacture and disposal of the wines and spirits, notwithstanding that such answer may render him liable to a penalty, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Fifty pounds nor more than Two hundred pounds.

Journal to be produced.

Distillation Act, 1884 (S.A.), s. 23.

See 35 Vict., 6, s. 19.

24. NO distiller or agent of a distiller shall have, keep, or make use of any store, erection, or building, for the sale of duty-paid spirits, at any place nearer to any part of any distillery than fifty yards,

Distances between spirit store and distillery.

Distillation.

Ibid., s. 24, altered
as to distance.

See 35 Vict., 6, s. 90.

yards, and every person acting in contravention of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of Two hundred pounds.

Warehousing of
spirits.

35 Vict., 6, s. 93.

Distillation Act,
1884 (S.A.), s. 25.

25. THE inspector may, without payment of any fee, grant permission to any distiller to deposit in a warehouse (erected on the premises of such distiller licensed under the regulations for the time being in force) spirits from the cellar or store-room of the said distiller without payment of duty thereon, and such spirits and no other goods shall be secured under the locks of the Crown in such bonded warehouse, and in respect of deficiencies arising on spirits so warehoused, such abatement and allowance shall be made as may be sanctioned by such regulations. Provided that all spirits so warehoused, if not removed from such warehouse within the period of two years, shall, at the expiration of that time, be examined by the proper officer, and the duty upon any difference or deficiency between the quantity ascertained on being first warehoused and the quantity found to exist at such examination shall, subject to such allowance as may be sanctioned as aforesaid, be paid down, and the quantity so found shall be re-warehoused in the same manner as at first.

Entry to be made be-
fore removal.

Ibid., s. 95.

Ibid., s. 26.

26. BEFORE any spirits shall be removed from the cellar or store-room of any distiller, or from the bonded store erected as aforesaid on the premises of such distiller, to any bonded warehouse under the supervision of the Customs, an entry of the same in the usual and proper form for warehousing goods under bond shall be passed at the custom house, and the person entering the same shall give security, by bond, in double the amount of duty which would be payable thereon if taken out of the said store for home consumption (with one sufficient surety, to be approved of by the Collector or other chief officer of customs), that the said spirits shall be warehoused to the satisfaction of the said Collector or other chief officer of customs, and thereupon the said Collector or other chief officer of customs shall grant a warrant for the removal of such spirits from the said bonded warehouse erected on the premises of said distiller to the bonded warehouse named in the warrant, and upon the delivery of the warrant aforesaid to the inspector or officer on duty at the distillery, such inspector or officer shall deliver the spirits therein described to the officer of customs appointed to convey the same to the bonded warehouse named in the margin, and upon the removal of such spirits aforesaid it shall be re-weighed in the presence of such officer, who shall thereupon give a receipt for the same to the inspector or officer on duty at the distillery.

Mode of proceeding
where spirits are
entered for home
consumption.

27. WHEN any spirits deposited in the bonded store attached to any distillery are required for home consumption, for exportation, or for ship's stores, the distiller shall procure from the Inspector of Distilleries

Distillation.

Distilleries or other officer on duty at, and in charge of, such store a certificate, on which shall be written the distinguishing mark or number of each cask, also the number of proof gallons in each cask so required for home consumption, for exportation, or for ship's stores, as the case may be, and thereupon such distiller shall present such certificate to the Collector or other chief officer of customs, and shall make entry and pay duty thereon if such spirits be required for home consumption, or make entry and enter into the necessary bond if such spirits be required for exportation, and the said Collector shall thereupon grant a warrant for the due delivery of the spirits in the manner and form as is required in the case of imported spirits when delivering from a bonded warehouse, and such warrant, on being delivered to the officer on duty at and in charge of said store, shall be a sufficient order for the delivery of the spirits mentioned therein.

Ibid., s. 100.*Ibid.*, s. 27.

PART III.—OF THE LICENSING AND WORKING OF STILLs FOR
CHEMICAL, MANUFACTURING, AND OTHER PURPOSES.

28. THE Colonial Treasurer may grant a license, in the form in the Eleventh Schedule hereto, to any apothecary, chemist, druggist, manufacturer, photographic artist or maker of perfumes to use a still of not more than twenty gallons contents for the purposes of his trade only, upon an application in writing to the inspector, accompanied by a certificate signed by a Resident or Police Magistrate, or two Justices of the Peace, that the person applying for such license carries on the trade therein mentioned, being one of the trades aforesaid, and is a fit and proper person to hold such license; but before any such license shall issue, the applicant shall execute a bond to the Colonial Treasurer, with two sufficient sureties to be approved by him, for Two hundred pounds, conditioned that, during the currency of such license and of any renewal thereof, the applicant will not make use of such still, or suffer it to be made use of, except for the purpose and at the place named in the license, and that he will obey this Act and the regulations made hereunder.

License to apothecaries, chemists, etc.

Distillation Act, 1884 (S.A.), s. 28.

See 35 Vict., 6, s. 21.

Schedule 11.

29. THE Colonial Treasurer may grant a license for a still of not less than fifty gallons contents, in the form in the Twelfth Schedule to this Act, to any person to distil fresh water from salt water, on such person making an application in writing to the inspector stating the place and the premises where the still is intended to be kept, and accompanied by a certificate, signed by a Resident or Police Magistrate, or two Justices of the Peace, that the place named in the application is a part of the Colony where fresh water is not easily obtainable in sufficient quantities for the wants of the district, or not easily obtainable in sufficient quantities for the business of the applicant, and that the applicant is a fit and proper person to hold a license.

Persons may be licensed to distil fresh water from salt water.

Distillation Act, 1884 (S.A.), s. 29, altered in form.

See 39 Vict., 3, and 57 Vict., 28.

Schedule 12.

Before

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Before such license is granted, the applicant shall execute a bond to the Colonial Treasurer for Two hundred pounds, with two sufficient sureties to be approved by him, conditioned that the still shall only be used for distilling fresh water from salt water, and for no other purpose whatever, and that the obligor will obey all the provisions of this Act and the regulations made thereunder.

Every person so licensed who changes his residence or ceases to make use of such still shall, within a month thereafter, give written notice thereof to the inspector, and shall, in the latter case, place the still in the bonded store nearest to the district or place named in the license for such still, or deliver the same to the nearest officer of police; and every person so licensed who fails to give such notice or so to place or deliver such still shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine of not less than Fifty pounds nor more than One hundred pounds, and to the forfeiture of the still, which may be destroyed by the inspector or any person acting under his orders.

Every person who, not being licensed as aforesaid, distils fresh water from salt water, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds nor more than One hundred pounds.

License may be granted to import and sell stills, etc., for condensing water.

57 Vict., 28,
Schedule 13.

30. THE Colonial Treasurer may grant a license, in the form in the Thirteenth Schedule hereto to any person to import into Western Australia, and to sell or keep for sale on the premises specified in the license, stills, still-heads, worms, and other utensils and apparatus necessary for distilling salt water.

Such license may be issued subject to any special conditions imposed by the Treasurer, and may at any time be revoked by him.

A person licensed as aforesaid shall not sell any still, still-head, worm, or other such utensil or apparatus elsewhere than on the premises mentioned in the license, and shall, immediately after every sale, give notice in writing to the Resident or Police Magistrate or Warden of the District within which the premises are situate of the article or articles sold, and the name of the purchaser. And every person licensed as aforesaid who contravenes or fails to observe the conditions of his license or this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Five pounds nor more than Fifty pounds, together with the forfeiture of all stills, still-heads, worms, or utensils or apparatus for distilling in his possession.

License for pint still for testing Western Australian wines.

45 Vict., 9, slightly altered.

31. THE Colonial Treasurer may, if he thinks fit, grant to any person applying for the same a license to keep and use a still of not more than one pint in capacity, for the purpose of testing the strength of wines made in Western Australia. Every such license shall specify

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specify the purpose for which it is granted, and the premises on which such still shall be used, and the person applying for such license shall, before the same is granted, enter into a bond to the Colonial Treasurer, with one surety, in the sum of Fifty pounds, conditioned that the person applying for the license will not use such still, or suffer the same to be used for any other purpose, or in any other place or premises than that specified in the license.

32. IN all proceedings under this Act or under any Act which may hereafter be in force for the regulation of distillation or respecting licensed and registered spirit merchants, the person against whom such proceedings are taken shall be deemed to be unlicensed, unless he shall at the hearing produce his license before and exhibit the same to the Court before which such proceedings shall be taken, or shall produce other proof to the satisfaction of such Court that he is not such person as described in such proceedings, or that he is a duly licensed person, and of the description of the license held by him.

Onus of proof.

Ibid., s. 135.

33. THE Clerk of the Bench at every place where a Court of petty sessions is or shall be established shall, within ten days after every such registration as aforesaid, make a return thereof to the Chief Inspector of Distilleries, which return shall be an exact copy of every such registration certificate, and every such Clerk of the Bench who shall fail or neglect to make any such return as aforesaid shall be liable to a penalty not exceeding Five pounds, and the Chief Inspector of Distilleries shall cause the names and residences of all persons so registered as aforesaid to be published in the *Government Gazette*.

Clerk of the Bench to make returns.

Ibid., s. 136.

PART IV.—OF LICENSES IN GENERAL.

34. ALL licenses granted under this Act shall, unless previously revoked or forfeited, continue in force until the thirty-first day of December next following the granting thereof, and there shall be paid to the Colonial Treasurer by the person obtaining such license in respect of every such license the sums respectively mentioned in the Fourteenth Schedule of this Act, and upon such payment, and upon the production of a certificate from the Chief Inspector of Distilleries that all the requirements of this Act have been complied with, such license shall forthwith issue to the person who shall be entitled to the same.

Termination of license.

35 Vict., 6, s. 22.

Schedule 14.

35. EVERY license granted under this Act may be renewed annually upon the person applying for such renewal paying to the Colonial Treasurer the sum required by this Act to be paid for the license which such person desires to renew, and upon receipt of such sum

Renewal of licenses.

Ibid., s. 23, and see Distillation Act, 1884 (S.A.), s. 31.

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sum by the Colonial Treasurer and a certificate from the Chief Inspector of Distilleries that all the regulations of this or of any other Act in force for the time being relating to the distillation, rectifying, or compounding of spirits have been complied with: Provided that if the person applying for such license shall have been convicted of any offence under this Act, or under any Act in force for the time being relating to distillation, or shall have forfeited any recognisance under any such Act, it shall not be lawful for the Colonial Treasurer to grant such renewal of any former license unless it is proved to his satisfaction that the offence or forfeiture was not wilful: And provided, also, that no license shall be renewed after such offence or forfeiture unless the applicant enters into a new bond to the Colonial Treasurer (if so required, by him), with two sufficient sureties to be approved by him, for the same amount as that executed by the applicant on obtaining his license, and conditioned in like manner.

Refusal or suspension of licenses.

Ibid., s. 24.

35 Vict., 6, s. 24.

36. THE Colonial Treasurer may refuse to grant or to renew any license under this Act, and may suspend or annul any such license upon proof being given to his satisfaction that the provisions and requirements of this Act or any of them have been contravened or have not been fulfilled, or that the Chief Inspector of Distilleries or any other officer appointed under this Act has been obstructed or prevented from performing any part of his duty by the person applying for or holding such license or renewal thereof, or by any person acting under his authority or by his direction, or where, from the local situation of a distillery (the license for which is required to be granted or renewed) in respect of any brewery, vinegar manufactory, or manufactory of cordials (in the making of which spirits are used), or of any store or house in which spirits are sold, either by wholesale or retail, it may appear to the Colonial Treasurer inexpedient to grant such license.

Transfer of licenses on death, lunacy, etc.

Distillation Act, 1884 (S.A.), s. 33.

37. IN the event of the death of any person holding a license under this Act, such license may be transferred to the legal representatives of such person, or, in the case of his lunacy or bankruptcy, to the persons who, in the event of his being then dead, would be his personal representatives, upon fresh securities being entered into, and upon the Colonial Treasurer being satisfied that such persons are fit and proper persons to hold a license under this Act.

Certain licenses to become void in certain cases.

85 Vict., 6, s. 25.

Distillation Act, 1884 (S.A.), s. 34.

38. NO wine manufacturer or distiller, or any person who shall be the owner or part owner, or who has any interest or share in a distillery or in any premises or concerns used for rectifying or compounding spirits, nor any maker of wine, the produce of his own vineyard, licensed to use a still, nor any medical practitioner or chemist licensed to use a still, nor any person licensed to use a still for

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for scientific or other purposes, nor any maker of perfumes licensed to use a still, nor any person licensed to distil water, shall have or hold a license to retail spirituous or fermented liquors; and in case any person who shall have obtained a license for the sale of fermented or spirituous liquors by retail shall, after the obtaining of such license, become the owner or part owner, or have any share or interest in a licensed distillery, or in any premises or concerns used for rectifying or compounding spirits, such license so granted for sale of fermented or spirituous liquors by retail shall thereupon become and be absolutely void, and the party or parties continuing to sell spirituous liquors by retail after having become the owner or part owner of, or after obtaining an interest or share in, a licensed distillery or in any premises or concerns used for the rectifying or compounding of spirits, may be prosecuted and convicted as a person selling fermented or spirituous liquors by retail without a license.

PART V.—OF THE REMOVAL OF SPIRITS AND SUPERVISION
OF STILLs.

39. EVERY wine manufacturer or distiller shall maintain and keep his still and distilling apparatus in good repair, and shall, at his own expense, provide proper and sufficient fastenings, to the satisfaction of the inspector, for the purpose of securely fastening the spirit store and the several covers and furnace-doors, and for securing the tail pipes, condensing chamber, safes, pumps, plugs, taps, and other utensils belonging to such still and distilling apparatus from use; and any inspector or officer may at any time enter upon any distillery or premises where distillation is authorised, for the purpose of inspecting the same and of locking and securing with locks of the Crown the still and several covers and furnace-doors, tail pipes, condensing chamber, safes, pumps, plugs, and taps thereof, or any of them, and for all such other purposes as in the opinion of such inspector or officer may be requisite; and any wine manufacturer or distiller who neglects to comply with this section, or who obstructs any inspector or officer in the discharge of his duty, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Five pounds nor more than Fifty pounds.

Distillery and
utensils to be kept
in good repair and
secured from use,
and inspector to be
allowed to enter.

Distillation Act,
1884 (S.A.), s. 35.
See 35 Vict., 6, s. 15.

40. EVERY wine manufacturer or distiller, when requiring to make use of his still, shall give at least six days' notice thereof in writing, by delivery or by forwarding such notice in a registered letter to the inspector, in order that an officer may be in attendance to open the several locks and fastenings; and such notice shall state when such wine manufacturer or distiller intends to commence, and the materials from which he intends to distil, and a duplicate of such notice shall be delivered or posted in like manner to the officer in charge

Distiller, etc., to give
notice before com-
mencing to distil.

Distillation Act,
1884 (S.A.), s. 33.
See 35 Vict., 6, s. 16.

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charge of the nearest police station; and within twelve hours after ceasing to distil, a notice of having ceased to distil shall be given in like manner, so that an officer as aforesaid may attend to lock and secure the still and spirit cellar or store-room. And every wine manufacturer or distiller who fails to comply with this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Fifty pounds nor more than One hundred pounds.

Permits for the
removal of spirits.

35 Vict., 6, s. 86.
Distillation Act, 1894
(S.A.), s. 37.

41. NO spirits shall be removed out of the premises of any wine manufacturer or distiller except between the hours of nine in the forenoon and four in the afternoon, nor without a permit to remove the same, signed by an inspector or officer, such permit to contain the distiller's name and the place from whence such spirits are to be removed, the vessel or vessels in which such spirits are contained and the quantity of spirits contained in each and every such vessel or vessels, and the name and residence of the person or persons to whom such spirits are to be delivered or forwarded, and such permit shall also specify the time during which such permit is to be in force: Provided that such permit shall not be granted by the inspector or officer for the removal of any spirits which shall not have been previously lodged and deposited in the cellar or storeroom, nor in a less quantity than ten gallons, and provided that at the time such permit is required the distiller or other person requiring such permit shall give to such inspector or officer aforesaid, the certificate of the Collector of Revenue or other proper officer that the duty upon such spirits intended to be removed has been duly paid, or that due entry thereof has been made in manner hereinafter provided.

Spirits removed
without permit may
be seized.

Ibid., s. 87.

Ibid., s. 38.

42. ALL spirits removed from the premises of any wine manufacturer or distiller without a permit as aforesaid, or except between the hours mentioned in the last preceding section, may be seized and forfeited, together with the cask, casks, or packages in which the same shall be contained, and the cars, carts, drays, or other conveyances, and the horses or other animals employed in removing the same.

Unlawful permits.

Ibid., s. 89.

Ibid., s. 59.

43. EVERY permit used for any purpose whatever other than to accompany the removal and delivery of the spirits for which such permit was obtained and granted, and at the time limited, and to the place expressed in such permit, shall be deemed and taken to be an unlawful permit.

Officers may stop
persons removing
spirits and examine
permits.

Ibid., s. 88.

44. ANY inspector or officer or police constable may stop or detain any person who shall be found removing or carrying any spirits of any kind from the premises of any wine manufacturer or distiller, and demand the production of the permit or permits as aforesaid accompanying such spirits, and on being satisfied that

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that the spirits are the same in quantity, quality, sort, or kind and strength as expressed in such permit or permits, and that the duty payable by law in respect thereof, has been paid, or secured to be paid for the same, such inspector, officer, or police constable shall indorse on such permit or permits the time, hour, and place of such examination, and shall sign his name thereto; and if any person so found removing or carrying away such spirits, which are by law required to be accompanied with a permit, shall refuse to produce such permit or permits as aforesaid immediately on being required so to do by any inspector, officer, or police constable, or shall be found removing or carrying any such spirits without a lawful permit, every such person shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of One hundred pounds; and such inspector, officer, or police constable may, and is hereby required to stop, arrest, and detain every such person, and to convey the said person, together with the spirits so found being removed or carried by or with him, before one or more of Her Majesty's Justices of the Peace residing near to the place where any such person shall be so stopped or arrested, and it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby required to hear and determine, in a summary way, any information against any such person so stopped or arrested under the provisions of this Act, and on the confession of any such person, or upon proof on oath by one or more credible witness or witnesses, to convict such person in such penalty as aforesaid.

Ibid., s. 40.

45. NO person shall commence to make, or to land out of any ship, any still, still-head, worm, or other utensil for distilling whatsoever, without having first given notice thereof in writing to the inspector or Collector of Customs, and every such notice shall set forth as near as possible the number of gallons which such still is capable of containing, and every person who shall commence to make, or who shall land out of any ship any still, still-head, worm, or other utensil for distilling whatsoever without having first given such notice as aforesaid, shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of not less than Ten pounds nor more than Fifty pounds.

Notice of making or importing stills.

Ibid., s. 124.*Ibid.*, s. 41.

46. NO person shall part with or sell any still, still-head, worm, or other utensil for distilling, either separately or as part of any house, building, premises or place in which such still may be, without having given notice to the inspector of the name and residence of the transferee or purchaser thereof, and also of the number of gallons which such still is capable of containing, and every person acting in contravention of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds and not more than Two hundred pounds.

Notice of selling or parting with still, etc.

Distillation Act, 1884 (S.A.), s. 42.

See 35 Vict., 6, s. 125.

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Notice to be given of
setting up still.

Ibid., s. 43.

Ibid., s. 126.

47. NO wine manufacturer or distiller or other person not holding a valid license under any Act for the time being in force concerning distillation, shall erect or set up any still without having first given notice of his intention to do so to the inspector, which notice shall set forth the number of gallons which such still is capable of containing, the name and residence of the owner thereof, the place in which it is intended to erect or set up the same, and the purpose for which it is to be used. And every such wine manufacturer, distiller, or other person who erects or sets up any still without having first given such notice as aforesaid, or knowingly gives an incorrect notice, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine not exceeding One hundred pounds.

Stills not to be
altered or removed
without permission.

Distillation Act,
1884 (S.A.), s. 44.

48. NO wine manufacturer, distiller, or other person licensed under this Act shall remove or alter any still without the permission of the inspector. Any inspector is empowered to visit and inspect stills of all kinds at any time in the day, and if any still is removed or altered without the permission of the inspector, the still shall be forfeited, and the person who has removed or altered the same, or caused it to be removed or altered, shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of not less than Twenty pounds nor more than Two hundred pounds.

Distance between
the premises of
licensed persons and
those of brewers.

35 Vict., 6, s. 26.

49. NO distiller, wine manufacturer, or other person shall practise, follow, or use the trade or business of a brewer of ale, porter, beer, or maker of cordials within the premises on which there is a still for the distillation of spirits, nor on any part thereof, nor on any other place or premises within five hundred yards of the said premises on which there is a still for the distillation of spirits, and every person who acts in contravention of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than One hundred pounds for every day during which he carries on such trade or business: Provided that the Colonial Treasurer may, if he think fit, grant permission in writing to any person as aforesaid to carry on the trade or business as aforesaid at a less distance from the premises on which there is a still for the distillation of spirits than five hundred yards, upon satisfactory proof being given to him that the carrying on such trade or business at a less distance will not be conducive to any violation of the provisions of this or any Acts relating to the revenue.

PART VI.—OF DUTIES ON SPIRITS.

Rate of duty.

See 35 Vict., 6, s. 72.

50. FROM and after the commencement of this Act the duty payable upon all spirits that may be distilled in Western Australia from grapes, fruit, wine, roots, malt, grain, or other produce, and upon

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upon all spirits distilled in Western Australia from sugar, treacle, molasses, or from wort, wash, or spent wash with which sugar, treacle, or molasses has been made or mixed, or from beer or ale, shall be, for every gallon, one half of the import duty on such spirits for the time being.

Distillation Act,
1884 (S.A.), s. 46.

Such duties shall be paid upon the standard gallon-measure of spirits of the strength of proof by Sykes' hydrometer, and so in proportion for any greater or less strength than proof, and also upon any deficiencies ascertained in the manner hereinafter directed.

See Act 348 (1885),
S.A.

51. ANY inspector may, by writing under his hand, permit spirits lodged in any cellar, store-room, or bonded warehouse as aforesaid to be used for the purpose of dissolving resins and gums for varnishes and other like manufacturing purposes for which methylated spirits are used and required; and for that purpose such spirits so to be used shall be mixed with purified wood naphtha in such quantities and of such quality as such inspector shall direct, so that such spirits so methylated shall be rendered wholly unfit for human consumption; and such spirits so methylated may be delivered out of such bonded warehouse without payment of duty: Provided as follows:—

Spirits may be used
for varnishes, etc., or
for burning.

Distillation Act,
1884 (S.A.), s. 47.
35 Vict., 6, s. 96.

- (1.) The process of mixing hereinbefore mentioned shall be performed under the supervision and in the presence of an officer appointed to superintend the same;
- (2.) Any inspector may allow any spirits distilled under this Act to be rendered unfit for human consumption by the addition of such drugs as may be deemed necessary, and to be cleared free of duty for the purposes of fuel or illumination by burning;
- (3.) The inspector may, under any regulations made as hereinafter provided, allow spirits distilled under this Act to be cleared free of duty for the purpose of being manufactured into vinegar or of being used in the preparation of medicines.

52. THE inspector may, by writing under his hand, and on such terms and conditions as he may think fit, permit spirits lodged in any bonded warehouse to be used for making muscadine, containing not more than thirty-five per cent. of spirit, for export or for flavouring wine; and such spirits may then be so used in the presence of an officer on payment of Sixpence per gallon proof for colonial spirits, and Two shillings and sixpence per gallon proof for imported spirits.

Permission to use
spirits in bond for
making muscadine
for export.

Distillation Act,
1884 (S.A.), s. 48.

53. THE Colonial Treasurer may appoint any other bonded warehouse for the purpose of lodging, under bond, any spirits distilled under

Appointment of
bonded warehouse.

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35 Vict., 6, s. 94.

Distillation Act,
1884 (S.A.), s. 49.

under the provisions of this Act without the payment of duty, and the spirits so lodged shall be subject to the same rules and regulations in respect to re-gauging and leakage as imported spirits when in bond in any bonded warehouse under the supervision of the Collector or other chief officer of customs.

Spirits may be re-
moved to any colonial
port under bond.

Ibid., s. 97.

Ibid., s. 50.

54. SPIRITS warehoused or bonded as in the last preceding section mentioned, being first duly entered in the custom house, may be delivered under the authority of the Collector, or other chief officer of customs, without payment of duty, for the purpose of removal to any port within the boundaries of the said Colony, under bond to the satisfaction of the said Collector or other chief officer of customs for the due arrival of such goods at such port, and for the payment of the duty payable thereon upon being landed, to the officer appointed to receive the same, or for the safe deposit of the same in some duly approved bonded warehouse at such port.

Spirits, cordials, etc.,
may be exported
without duty.

Distillation Act,
1884 (S.A.), s. 51.

See 35 Vict., 7, s. 98.

55. SPIRITS distilled in Western Australia, and compounds, cordials, muscadine, and medicines containing such spirit (if intended for exportation and manufactured under any regulations made as hereinafter provided) may be exported to places beyond the boundaries of the said Colony without payment of duty, but the person exporting the same shall pass an entry outwards in the usual manner, and shall enter into bond in double the amount of duty which would be payable thereon if entered for home consumption, with one sufficient surety, to be approved of by the Collector or other chief officer of customs, that the same shall be landed at the place for which they shall be entered outwards, or be otherwise accounted for to the satisfaction of the said Collector or other chief officer of customs.

Duties, how to be
paid.

Distillation Act,
1884 (S.A.), s. 52.

35 Vict., 6, s. 101.

56. ALL duties on spirits distilled in Western Australia and deposited in bonded warehouses under the supervision of the Collector of Customs, other than bonded warehouses not subject to the provisions of this Act, shall be paid to the Collector of Customs in the same manner and under the same regulations as for imported spirits; Provided that in places where there is no Collector of Customs, the duties on spirits distilled in the said Colony as aforesaid shall be paid to such officer as the Governor may appoint to receive the same in the same manner and under the same regulations as if paid to a Collector of Customs.

PART VII.—OF OFFICERS, SEIZURE, PROCEDURE, AND PENALTIES.

Appointment of
officers.

Ibid., s. 53.

57. THE Governor may appoint some fit and proper person to be Chief Inspector of Distilleries, and also such and so many inspectors of distilleries and other officers as may be necessary for the

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the due execution of this Act, and until such appointments are made under this Act the Chief Inspector of Distilleries and all other officers appointed under the Acts hereby repealed shall be deemed to be appointed under this Act.

Ibid., s. 1.

58. EVERY person—

- (a.) Who, having in his possession or under his control any bottles with labels affixed thereon shall, without removing and destroying such labels, make use of such bottles for the purpose of bottling spirits, liqueurs, cordials, wine or beer; or

As to bottling spirits, etc., in bottles already labelled. Distillation Act, 1884 (S.A.), s. 56.

- (b.) Who shall knowingly sell or purchase such spirits so bottled in a bottle or bottles with such a label or such labels, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds nor more than Two hundred pounds.

59. EVERY person who wilfully sells or gives a label with any
~~article sold by him and whether affixed or not to such article which~~

Penalty for selling
~~article~~

Pages 377, 380. 64 VICT., No. 16.—Sections 59 and 68 repealed by 1 & 2
 Edwd. VII., No. 14.

60. EVERY person who sells or offers for sale any spirit (except sweetened gin) which is of less strength than twenty-five per cent. under proof, or any sweetened gin which is of less strength than thirty-five per cent. under proof, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than Twenty pounds.

Spirits not to be sold more than a certain amount under proof.

Ibid., s. 58.

61. ANY inspector or officer, or officer of police, police constable, or other person appointed by the Governor may seize any still, still-head, worm, or other apparatus or utensil whatsoever intended or suited for distilling, or for any process of distillation, found in any house, building, premises or place whatsoever, unless the owner or occupier thereof shall hold and produce a valid license, or shall have otherwise complied with the regulations and provisions of any law in force for the time being relating to distillation; and may also seize all materials capable of fermentation, and all worts, wash, wines, spirits, and other chattel property of every kind whatsoever found in any such house, building, place or premises, and all such articles so seized as aforesaid shall be forfeited unless the same have remained on the premises pending an inquiry as to the expediency of a renewal of a license.

Seizure of apparatus for distillation.

35 Vict., 6, s. 112.

Distillation Act, 1884 (S.A.), s. 59.

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Seizure of spirits.

Ibid., s. 113.

Ibid., s. 60.

62. ANY inspector of distilleries, officer of customs, or other person appointed as aforesaid may seize all or any spirits not lawfully stored on which the full amount of duty chargeable has not been paid, and all spirits so seized shall be forfeited.

Proceedings under warrant.

Ibid., s. 114.

Ibid., s. 61.

63. IN case any inspector or officer, or other person duly authorised as aforesaid, has cause to suspect that any still, in respect of which no license has been granted, or any still-head or worm or other utensil for distilling whatsoever, or any back or other vessel for making worts or wash, or any worts or wash, or other material prepared or preparing for distillation, or any spirits upon which the full duty has not been paid, is or are set up, kept, or concealed in any house, building, premises or place, then and in such case, upon information exhibited by such inspector or officer, or other person as aforesaid, before any Justice of the Peace, setting forth the ground of the informant's suspicion, such Justice of the Peace before whom such information is exhibited may, if he shall judge it to be reasonable, by warrant under his hand and seal authorise and empower such inspector or officer, or other person appointed as aforesaid, by day or by night (but if in the night time, then in the presence of a constable) to break open the doors or any part of such house, building, premises, or place where he shall so know or suspect such unlicensed still or other things as before enumerated to be set up, kept, or concealed, and to enter into such house or place and to seize all and every such still or other such things as aforesaid, and also all goods and chattels of every kind whatsoever found within such house, building, premises, or place, and either to detain and keep the same in the house, building, premises, or place where found, or to remove the same to some bonded warehouse or to the police office next to or most accessible from the place where the same shall be discovered and found, or to any other place of security: Provided that any inspector, officer, or other person appointed as aforesaid, having a writ of assistance under the hand of any Judge of the Supreme Court may, in company with a constable, and the inspector or Collector of Customs, may without such writ of assistance, in company with a Justice of the Peace, act as aforesaid without information or warrant.

Officer may break up ground on the premises of a distillery.

35 Vict., 6, s. 122.

64. ANY inspector of distilleries, officer, or person appointed as aforesaid, and any persons acting in their aid, may by night or by day break up any ground in any part of the distillery or premises of any distiller, or any ground near to or adjoining such distillery, or through any wall or partition thereof or belonging thereto, to search for any pipe or cock or any private conveyance or utensil, and upon finding any such pipe or conveyance leading therefrom or thereto, may break up the ground, house, wall, or other place through or into which such pipe or other conveyance shall lead, and may break up
or

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or cut away any such pipe, cock, or other conveyance, and turn any cock or cocks, and examine whether such pipe or other conveyance may or can convey or conceal any wort, wash, or other liquor fit for distillation, or low wines, feints, or spirits from the sight or view of the officer so as to hinder or prevent him from taking or keeping a true account thereof.

65. ANY inspector of distilleries, officer, or person appointed as aforesaid may enter into and upon the premises of any distiller to search for and seize any spirits the duty on which has not been paid, and which may be kept or concealed thereon in any manner contrary to this Act or any Act which may hereafter be in force respecting distillation.

Officer may enter premises and seize spirits.

Ibid., s. 123.

66. ANY inspector, officer, or other person appointed under this Act may, upon reasonable suspicion, stop any cart, dray, or other vehicle whatsoever and examine all goods carried thereon for the purpose of ascertaining whether any unlicensed still, worm, or other utensil or apparatus for distilling or rectifying spirits is contained therein or carried thereon, and if no such still, worm, or other utensil or apparatus shall be found, then and in all such cases the inspector or other officer so stopping and examining such cart, dray, or other vehicle, having had reasonable and probable cause to suspect that the goods as aforesaid were contained or carried thereon, shall not on account of such stoppage and search be liable to any prosecution or action at law on account thereof; and if any still, worm, or other utensil or apparatus for distilling be found in or on any such dray, cart, or other vehicle without lawful permission, the same shall be forfeited, together with the said vehicle and the horse or horses or other cattle drawing the same, and the owner thereof shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds nor more than One hundred pounds.

Inspector may stop carts.

Ibid., s. 127.

Distillation Act, 1884 (S.A.), s. 62.

67. ANY wine manufacturer, distiller, or other person who in any manner obstructs any inspector or officer appointed under this Act, or any person acting on his behalf, in the execution of any of their duties, or in the due seizing of any goods liable to forfeiture under this Act, or rescues, or causes to be rescued, or aids and abets in rescuing any goods or person who or which shall have been seized or arrested, or attempts or endeavours so to do, or before or at or after any seizure, steals, breaks, or otherwise destroys any goods to prevent the seizure or securing thereof, shall be guilty of an offence, and, upon conviction thereof, shall be liable to be imprisoned in any gaol with or without hard labour for any term not exceeding two years, or at the discretion of the Court, for every such offence shall be liable to a penalty not exceeding One hundred pounds nor less than Twenty pounds.

Obstructing officer—penalty.

Ibid., s. 128.

Ibid., s. 63.

Distillation.

Assaulting or resisting officer—penalty.

Ibid., s. 129.

Ibid., s. 64.

68. IF any wine manufacturer, distiller, or other person assaults, or by force or violence resists, opposes, molests, hinders, or obstructs any officer appointed under this Act, or any person acting on his behalf, every person so offending, or aiding or abetting or assisting therein, shall be adjudged guilty of a misdemeanour, and shall be liable, at the discretion of the Court before which he is convicted, to be imprisoned in any gaol with hard labour for any term not less than three months nor more than three years.

Bribes—how punishable.

Ibid., s. 130.

Ibid., s. 65.

69. EVERY wine manufacturer, distiller, or other person who gives, offers, or promises to give any bribe, recompense, or reward, or makes or offers to make any collusive agreement with any inspector, officer, or other person authorised as aforesaid to induce him in any way to neglect his duty, or to conceal or connive at any act whereby any of the provisions of this or any other Act now or hereafter in force relating to distillation may be evaded, shall be guilty of an offence, and shall, on conviction thereof, be liable to a fine not exceeding Two hundred pounds, whether such gift or offer shall be accepted or such promise performed or not, and every inspector, officer, or other person appointed as aforesaid who directly or indirectly takes or receives any bribe, recompense, or reward, or enters into any collusive agreement as aforesaid, or in any way neglects his duty or conceals or connives at any act whereby any of the provisions of this or any other such Act as aforesaid may be evaded, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine not exceeding Two hundred pounds.

Penalty for keeping or using still, etc., without license.

Distillation Act, 1884 (S.A.), s. 66.

See 35 Vict., 6, ss. 2, and 120.

70. EVERY wine manufacturer, distiller, or other person who has in his possession or on his premises, or who makes use of any still, utensil, or apparatus, or any part thereof for distilling or rectifying and compounding spirits without having first obtained a license under this Act, or, having obtained such a license, shall have or make use of any still, utensil, or apparatus, or any part thereof respectively, as aforesaid, otherwise than may be authorised by such license, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than One hundred pounds nor more than Five hundred pounds, together with a forfeiture of all such stills, utensils, and apparatus, or parts thereof, and also of all spirits and all materials from which spirits could be distilled and which may be found in or about such premises. Provided as follows:—

- (1.) Any wine manufacturer, distiller, or other person who may have in his possession at the commencement of this Act any still, utensil, or apparatus, or part thereof, and who does not desire to further or again use the same, may deposit the same in a store or secure place to be appointed

Distillation.

appointed and approved by the Colonial Treasurer, and shall not then be liable to the penalties herein mentioned in respect of the same being his property ;

- (2.) Nothing in this Act shall apply to any chemist, druggist, or other person having in his custody or possession for sale, or for use in his trade, business, or profession, any metal, glass, or earthenware retort or apparatus of a less capacity than three gallons.

71. EVERY wine manufacturer, distiller, or other person who sells or disposes of, or offers to sell or dispose of, or who purchases any illicit spirit, or spirit part of which is illicit, shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine of One hundred pounds and the forfeiture of the spirit, and for a second or subsequent offence shall be liable, on conviction thereof, to imprisonment with hard labour for not less than six months nor more than twelve months, and to the forfeiture of the spirits as aforesaid: And if any person holding a license for the sale of fermented or spirituous liquors is convicted of an offence against this section his license shall be forfeited, and he shall be incapable of obtaining any such license for five years after such conviction.

Penalties on selling and buying illicit spirits.

Ibid., s. 67.

Ibid., s. 121.

72. IF any spirits or other property shall be seized or stopped for any cause of forfeiture, and any dispute shall arise as to ownership or whether the duty has been paid for the same, or if any suit or action shall be brought for any non-payment of license or other fee under this Act, the proof thereof shall be on the owner or claimant of such goods or upon the defendant in any suit for payment of license or other fees, and not on the officer who shall seize, stop, or sue for the same.

Onus of proof as to ownership of spirits or payment of duty in certain cases.

35 Vict., 6, s. 131.

Distillation Act, 1884 (S.A.), s. 68.

73. NO colonial spirits shall be cleared from bond until an officer, to be appointed by the Collector of Customs for the purpose of examining colonial spirits, has first certified in writing to the said Collector that the spirits proposed to be cleared are free from any deleterious quantity of fusel oil ; and every person who clears, or attempts to clear any colonial spirits contrary to this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than One hundred pounds.

Certificate as to fusel oil required before clearing colonial spirits.

Distillation Act, 1884 (S.A.), s. 70.

74. WHERE, in any information or proceeding under this Act, the person laying or commencing the same avers that he is the Chief Inspector of Distilleries or an officer within the meaning of this Act, no further proof of his appointment shall be required unless the defendant adduces evidence to the contrary.

Prima facie proof of officer's appointment.

35 Vict., 6, s. 141.

Distillation.

Officer to have notice
of action.

Ibid., s. 142.

75. NO action shall be commenced against any inspector, officer, or other person acting under this Act, or any Act which may hereafter be in force concerning distillation, for anything done in the exercise of his office after the lapse of a year from the cause of action arising, or until one month after the defendant has been served with notice of action stating the cause of action, the name and abode of the plaintiff, and the name and abode of his solicitor, if any, and no verdict or judgment shall be given for the plaintiff in any such action unless the service of such notice is proved or admitted.

Judge may certify
probable cause of
seizure.

Ibid., s. 144.

76. IN case any information or suit shall be brought to trial on account of any seizure made under this Act, and a verdict shall be found for the claimant thereof, and the Judges or Court before whom the cause shall have been tried shall certify upon the record that there was reasonable and probable cause of seizure, the claimant shall not be entitled to any costs of suit, nor shall the person who made such seizure be liable to any action or other suit or prosecution on account of such seizure, and if any action or other suit or prosecution shall be brought to trial against any person on account of such seizure, wherein a verdict shall be given against such defendant, the plaintiff, besides the things seized, or the value thereof, shall not be entitled to more than One shilling damages, nor to any cost of suit, nor shall the defendant in such prosecution be fined more than One shilling.

Officer may tender
amends.

Ibid., s. 145.

77. ANY inspector, officer, or other person as aforesaid may, within one calendar month after such notice, tender amends to the party complaining or his agent, and plead such tender in bar to any action, together with other pleas, and if the jury shall find the amends sufficient, they shall give a verdict for the defendant, and in such case, or in case the plaintiff shall become non-suited or discontinue his action, or judgment shall be given for the defendant, then such defendant shall be entitled to like costs as he would have been entitled to in case he had pleaded the general issue only: Provided that it shall be lawful for such defendant, by leave of the Court where such action shall be brought, to pay money into Court by way of amends at any time before issue joined.

Property seized to
be claimed within
ten days.

Claims to be lodged
with Collector of
Revenue.

Ibid., s. 146, altered
in form.

78. ALL spirits and other property seized under the provisions of this Act shall be considered as forfeited and condemned, and shall be sold by public auction, unless claimed within ten days after the same shall be so seized, and all such claims for spirits or other property so seized as forfeited shall be lodged within the time hereinbefore mentioned with the Chief Inspector of Distilleries.

Informations, etc.,
may be tried in the
Supreme Court.

79. (1.) ALL penalties and forfeitures incurred under or imposed by this Act, and the liability to forfeiture of all goods seized under

Distillation.

under the authority hereof, may be sued for, prosecuted, determined, and recovered in the Supreme Court by information or such other form of proceeding as may for the time being be applicable in the name of the Attorney General, the Chief Inspector of Distilleries, or any officer; or

Customs Consolidation Act, 1892, s. 295.
See 35 Vict., 6, s. 137.

(2.) Where the maximum amount of the fine imposed by this Act, or the value of the forfeiture incurred does not exceed Two hundred pounds, the same may be sued for, prosecuted, determined, and recovered by information in the name of the said Chief Inspector or any officer before a Court of summary jurisdiction.

Penalties and forfeitures under £100 may be dealt with in a Court of summary jurisdiction.

(3.) All actions and informations for the enforcement of any penalties or forfeitures imposed by this Act shall be commenced within one year after the offence in respect of which the same were imposed was committed.

Proceeding to be commenced within a year.
See 35 Vict., 6, s. 138.

(4.) Where an action or information has been commenced or laid for the enforcement of a fine or forfeiture imposed by this Act for any act or omission, and a bond has been given conditioned, either generally or specially, against such act or omission, no action shall be brought on such bond; and where an action has been brought on such bond, no proceeding shall be taken to enforce any fine or forfeiture incurred by any act or omission contrary to the obligation of the bond.

Provision against double remedies.

80. THE Chief Inspector of Distilleries and any officer, under the order and directions of the Colonial Treasurer, may prosecute, defend, or conduct any proceeding before any Justice of the Peace or Court of summary jurisdiction in any matter relating to distillation.

Certain officers may prosecute, etc.
See 35 Vict., 31, s. 302.

81. IF, in or upon any information, suit, or action brought in the said Supreme Court, or before any Court of summary jurisdiction for the recovery of any fines or penalties imposed by this Act, the party shall be sentenced, ordered, or adjudged to pay such fine or penalty, and in case any such fine or penalty shall not be immediately paid or security given to the satisfaction of the Court before whom the case shall have been heard and determined for the due payment of such fine or penalty, the party or parties who shall have been convicted and sentenced to pay such fine or penalty shall forthwith be committed to gaol, there to remain for not less than three months nor exceeding twelve months, unless such fine or penalty shall be sooner paid, and such imprisonment shall in no case operate as a discharge of any such fine or penalty.

Imprisonment of convicted parties.
Ibid., s. 150.

... and any officer under this Act shall be

...lication of fines.
Distillation Act,
4 (S.A.), s. 72.

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Act, and, in default of such regulations, or so far as the same do not extend, in the proportions following, that is to say—one moiety to the Colonial Treasurer, to go to the Consolidated Revenue Fund, and the other moiety to the seizing officer, or, if there is an informer as well as a seizing officer, one-third shall be paid to the Colonial Treasurer, to go as aforesaid, one-third to the seizing officer, and one-third to the informer: Provided that all fines inflicted under this Act in cases where it is clearly proved that the stills can only have been used for the distillation of salt water may be remitted by the Governor.

Appeal.

83. ANY person aggrieved by any order or conviction of a Justice under this Act may appeal against such order or conviction under the provisions of "The Police Act, 1892," with respect to appeals.

*Regulations.
Ibid., s. 73.
Ibid., s. 154.*

84. THE Governor may make regulations for carrying out the provisions of this Act.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Distillation.

The First Schedule.

Section 2.

35 Vict., No. 6.—The Distillation Act, 1871.

39 Vict., No. 3.—The Distillation Act, 1871, Amendment Act, 1875.

45 Vict., No. 9.—An Act to amend the Distillation Act, 1871.

57 Vict., No. 28.—The Distillation Act, 1871, Amendment Act, 1893.

The Second Schedule.

Section 5.

Wine Manufacturer's License to Distil.

No. _____ Perth, 19 ____ .

do hereby license _____ to use a still of _____

gallons capacity for the purpose of distilling spirits from the fermented juice of

the grape or other fruit on his premises, situate _____

from this date until the _____ day of _____ ,

next ensuing under the provisions of the Distillation Act, 1900, and of any

regulations made thereunder.

And I do hereby acknowledge to have received from the said

the sum of _____ pounds for this license.

Colonial Treasurer.

The

Distillation.

The Third Schedule.

Section 9.

Monthly Journal kept by _____ **Licensed Wine Manufacturer at** _____ **Still** _____ **Gallons content.**

License No. _____

	Date of notice of commencing, and of having ceased to distill, being posted or delivered, and where.	Date given in such notice for commencing to distill.	Date given in such notice for ceasing to distill.	Days when actually distilling, and number of hours at work in each day.	Materials distilled from.	Total quantity, in proof gallons, distilled during the month.	Total quantity, in proof gallons, on hand during last month.	Total quantity, in proof gallons, purchased for fortifying wine.	Fortifying wine.	Placed in bond.	Used in cleaning, etc.	By permission of Chief Inspector.	Stock on hand, in proof gallons, at the end of the month.	Quantity of wine forfeited during the month.
January ..				Days Hours										
				Days Hours										
February ..				Days Hours										
				Days Hours										
March ..				Days Hours										
				Days Hours										
April ..				Days Hours										
				Days Hours										

[Signature of Licensed Wine Manufacturer.]

Distillation.

<i>Copy of Entries in Monthly Journal kept by</i>	<i>Licensed Wine Manufacturer at</i>	<i>License No.</i>	<i>Skill Gallons.</i>	<i>Section[9].</i>

[illegible]

[Signature of Licensed Wine Manufacturer.]

*Distillation.***The Fifth Schedule.**

Section 11.

Warrant for Delivery of Spirits for Fortifying Wines.

To _____, having in his possession _____ gallons of unfortified wine, the produce of his own or some other Western Australian vineyard, is entitled to clear _____ gallons of colonial distilled spirit on payment of a fee for fortifying such wine: You are, therefore, hereby authorised to deliver such an amount of colonial distilled spirit from any bonded warehouse, in one or more lots, upon the requirements of the Distillation Act, 1900, being required with.

Chief Inspector of Distilleries.

Spirits Delivered under Authority of this Warrant.

The Sixth Schedule.

Section 13.

Monthly Journal kept by _____, Winemaker, at _____, pursuant to Section _____ of the Distillation Act, 1900.

Date of month and year.	Quantity, in proof gallons, on hand at end of last month.	Quantity, in proof gallons, for fortifying wine.	Quantity, in proof gallons, used for fortifying wine.	Quantity, in proof gallons, used for washing or cleansing casks.	Quantity, in proof gallons, on hand at the end of the month.	The quantity of wine fortified.

[Signature of Winemaker.]

The

*Distillation.***The Seventh Schedule.**

Section 18.

Copy of entries in *Monthly Journal kept by* _____, *Winemaker,*
at _____, *pursuant to Section* _____ *of the Distillation Act, 1900.*

Date of month and year.	Quantity, in proof gallons, on hand at end of last month.	Quantity, in proof gallons, for fortifying wine.	Quantity, in proof gallons, used for fortifying wine.	Quantity, in proof gallons, used for washing or cleansing casks.	Quantity, in proof gallons, on hand at the end of the month.	The quantity of wine fortified.

[Signature of Winemaker.]

The Eighth Schedule.

Section 16.

Distillation License.

No. _____

Perth,

, 19 .

I do hereby license _____ to use a still of _____ gallons for the purpose of distilling spirits from the fermented juice of the grape or other fruit, potatoes, roots, or grain of any produce of Western Australia, on his premises situate at _____, from this date until the _____ day of _____ next ensuing, under the provisions of the Distillation Act, 1900, and of any regulations made thereunder.

And I hereby acknowledge to have received from the said _____ the sum of _____ pounds for this license.

Colonial Treasurer.

The

Distillation.

Section 22.

The Ninth Schedule.

Monthly Journal kept by		Licensed Distiller, at		License No.		Still		Gallons Content.		
Year.	Date of notice of commencing, and of having ceased to distill, being posted or delivered, and where.	Date given in such notice for commencing to distill.	Date given in such notice for ceasing to distill.	Days when actual distillation was carried on.	Distilled	℥, in proof	℥, in proof	Total quantity in proof gallons, disposed of during the month, showing the manner in which the same has been disposed of.	Stock on hand, in proof gallons, at end of month.	Quantity of wine forwarded during the month.
January	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
February	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
March	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
April	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			
	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..	Hours ..			
	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..	Days ..			

Distillation.

Section 23.

The Tenth Schedule.

Copies of entries in Monthly Journal kept by _____, Licensed Distiller at _____, License No. _____ Still _____

Year 19	Date of notice of commencing, and having ceased to distill, and where being posted or delivered.	Date given in such notice for commencing to distill.		Date given in such notice for ceasing to distill.		Days when actually distilling, and number of hours' work in each day.	Materials distilled from.	Total quantity, in proof gallons, distilled during the month.	Total quantity, in proof gallons, on hand from last month.	Fortifying wine.	Placed in bond.	Exportation.	Duty paid.	Methylated.	Used in manufacture of vinegar.	Used for cleansing, &c.	Stock on hand, in proof gallons, at end of month.	Quantity of wine furnished during the month.	
	Days	Hours	Days	Hours	Days														Hours
	Days	Hours	Days	Hours	Days														Hours
	Days	Hours	Days	Hours	Days														Hours
	Days	Hours	Days	Hours	Days														Hours

[Signature of Licensed Distiller.]

The

Distillation.

The Eleventh Schedule.

Section 28.

*License to an Apothecary, Chemist, Druggist, Manufacturer, Photographic Artist, or
Maker of Perfumes.*

No. _____ Perth, _____, 19 ____.

I do hereby license _____ to use a still of _____ gallons capacity for the purpose of distilling, for the purposes of his trade only, on his premises situate at _____, from this date until the _____ day of _____ next ensuing, under the provisions of the Distillation Act, 1900, and any regulations made thereunder.

And I do hereby acknowledge to have received from the said the sum of _____ pounds for this license.

Colonial Treasurer.

The Twelfth Schedule.

Section 29.

Production of Fresh Water by Distillation.

No. _____ Perth, _____, 19 ____.

I do hereby license _____ to use a still of _____ gallons capacity, only for distilling fresh water from salt water, on his premises situate at _____, from this date until the _____ day of _____ next ensuing, under the provisions of the Distillation Act, 1900, and of any regulations made thereunder.

And I do hereby acknowledge to have received from the said the sum of _____ for this license.

Colonial Treasurer.

The Thirteenth Schedule.

Section 30.

License to import Apparatus for Distilling Salt Water.

I do hereby license _____ of _____ to import into the Colony and to sell or keep for sale at his premises situate at _____ stills, still-heads, worms, and other utensils or apparatus necessary for distilling salt water.

Dated the _____ day of _____, 19 ____.

Colonial Treasurer.

The

*Distillation.***The Fourteenth Schedule.**

Section 34.

Table of Fees for Licenses.

	£	s.	d.
For every wine manufacturer's license...	5	0	0
For every distillation license ...	50	0	0
For every license to keep and use a still for medical, chemical, assay, photographic, or scientific purposes, or for distilling perfumes, or for other manufactures where a still is necessary and in which no spirits are made ...	0	10	0
For every license to distil water ...	0	1	0

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XVII.

AN ACT to consolidate and amend the law
relating to Trustees.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council
and Legislative Assembly of Western Australia, in this present
Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Trustees Act, 1900, and shall Short title.
come into force on the 31st December, 1900.

2. THE Acts mentioned in the Schedule are repealed, except to Repeal.
the extent mentioned in such Schedule.

PART I.

3. IN this Act, unless the context otherwise requires,—

“Trustee” includes a trustee whose trust arises by con-
struction or implication of law, as well as an express “Trustee.”
trustee whose trust arises under instrument.

“Instrument” includes any deed, will, or settlement, or Act of “Instrument.”
Parliament.

“Bankrupt”

Trustees.

- "Bankrupt." "Bankrupt" includes a person who has arranged or compounded with his creditors.
- "Court." "Court" means the Supreme Court.
- "Contingent right." "Contingent right," as applied to land, includes a contingent or executory interest, a possibility coupled with an interest, whether the object of the gift or limitation of the interest or possibility is or is not ascertained; also a right of entry, whether immediate or future, and whether vested or contingent.
- "Convey and conveyance." "Convey and conveyance," applied to any person, includes the execution by that person of every necessary or suitable assurance for conveying, transferring, assigning, appointing, surrendering, or otherwise transferring or disposing of land whereof he is seised or possessed, or wherein he is entitled to a contingent right either for his whole estate or for any less estate, together with the performance of all formalities required by law to the validity of the conveyance, including the acts to be performed by married women and tenants entail, in accordance with the provisions of the Acts for the abolition of fines and recoveries respectively.
- "Devisee." "Devisee" includes the heir of a devisee and the devisee of an heir, and any person who may claim right by devolution of title of a similar description.
- "Land." "Land" includes incorporeal as well as corporeal hereditaments, and any interest therein, and also an undivided share of land.
- "Mortgage and mortgagee." "Mortgage and mortgagee" include and relate to every estate and interest regarded in equity as merely a security for money, and every person deriving title under the original mortgage.
- "Pay and payment." "Pay and payment" as applied in relation to stocks and securities, and in connection with the expression "into Court," include the deposit or transfer of the same in or into Court.
- "Possessed." "Possessed" applies to receipt of income of and to any vested estate less than a life estate, legal or equitable, in possession or in expectancy, in any land.
- "Property." "Property" includes real and personal property, and any estate and interest in any property, real or personal, and any debt, and anything in action, and any other right or interest whether in possession or not.
- "Rights." "Rights" includes estates and interests.

"Securities"

Trustees.

“Securities” includes stock, funds, and shares.

“Securities.”

“Stock” includes fully paid up shares, and, so far as relates to vesting orders made by the Court under this Act, includes any fund, annuity, or security transferable in books kept by any company, society, or by instrument of transfer, either alone or accompanied by other formalities, and any share or interest therein.

“Stock.”

“Transfer,” in relation to stock, includes the performance and execution of every deed, power of attorney, act, and thing on the part of the transferor to effect and complete the title in the transferee.

“Transfer.”

4. (1.) UNLESS otherwise provided, this Act shall apply to trusts created before or after the passing of this Act.

Application of Act.

(2.) Nothing herein contained shall unless otherwise expressly provided authorise a trustee to do anything which he is in express terms forbidden to do, or to omit to do anything he is in express terms directed to do by the instrument creating the trust.

5. A TRUSTEE may invest any trust funds in his hands, whether at the time in a state of investment or not, in manner following, that is to say:—

Authorised investments.

- (a.) In any of the Parliamentary stocks, or public funds, or Government securities of the United Kingdom, or of the Commonwealth, or of any of the Australasian colonies;
- (b.) On mortgage of real estate in Western Australia;
- (c.) In debentures, or other securities charged on the funds or property of any municipality in Western Australia;
- (d.) On fixed deposits in any incorporated or Joint Stock Bank carrying on business in Western Australia;
- (e.) In any security, or manner authorised by any Act heretofore in force and not hereby repealed;
- (f.) In the debenture or preference stock of any company now or hereafter carrying on business in Western Australia, and certified by notice in the *Gazette*, signed by the Colonial Treasurer, as a company in the stock of which trustees may invest;
- (g.) In any of the stocks, funds, or securities for the time being authorised for the investment of cash under the control or subject to the order of the Court, and may also from time to time vary any such investment.

6. A TRUSTEE may invest in any of the securities hereinbefore mentioned or referred to, notwithstanding that the same

Purchase at a premium of redeemable stock.

Trustees.

same may be redeemable, and that the price exceeds the redemption value.

Retention of re-
deemable stock.

7. A TRUSTEE may retain, until redemption, any redeemable stock, fund, or security which may have been purchased in accordance with the powers of this Act or the instrument creating the trust.

Discretion of
trustees.

8. EVERY power conferred by the preceding sections shall be exercised according to the discretion of the trustee, but subject to any consent required by the instrument, if any, creating the trust.

Enlargement of
express power of
investment.

9. (1.) A TRUSTEE having power to invest in real securities, or on mortgage of real estate, may invest, and shall be deemed to have always had power to invest, on mortgage of property held for an unexpired term of not less than two hundred years, and not subject to a reservation of more than a nominal rent, or to any condition for re-entry, except for non-payment of rent.

(2.) A trustee having power to invest in the mortgages, stocks, or bonds of any company may invest in the debentures or debenture stock of any such company.

Loans and invest-
ments by trustees
not chargeable as
breaches of trust.

10. (1.) A TRUSTEE lending money on any security on which he can lawfully lend shall not be chargeable with breach of trust by reason only of the proportion borne by the amount of the loan to the value of the property at the time when the loan was made, provided—

(a.) That, in making the loan, the trustee was acting upon a valuation of the property made by a person instructed and employed independently of any owner of the property, and whom he reasonably believed to be a competent valuer; and

(b.) That the amount of the loan does not exceed two-thirds of the value of the property as stated by such valuer; and

(c.) That the loan was made under the advice of the valuer expressed in the report.

Dispensing with
lessor's title.

(2.) A trustee lending money on the security of any leasehold property shall not be chargeable with breach of trust only upon the ground that in making such loan he dispensed, whether wholly or partly, with the production or investigation of the lessor's title.

Accepting short title.

(3.) A trustee shall not be chargeable with the breach of trust only upon the ground that in effecting the purchase of or in lending money upon the security of any property, he has accepted a shorter title than the title which a purchaser is, in the absence of a special contract, entitled to require, if, in the opinion of the Court, the

Trustees.

the title accepted be such as a person acting with prudence and caution would have accepted.

(4.) This section applies to transfers of existing securities as well as to new securities, and to investments made as well before as after the commencement of this Act, except where an action or other proceeding was pending with reference thereto at the commencement of this Act.

Application to
existing securities.

11. (1.) WHERE a trustee improperly advances trust money on a mortgage security which would at the time of the investment be a proper investment in all respects for a smaller sum than is actually advanced thereon, the security shall be deemed an authorised investment for the smaller sum; and the trustee shall only be liable to make good the sum advanced in excess thereof, with interest.

Liability or loss by
reason of improper
investments.

(2.) This section applies to investments made as well before as after the commencement of this Act, except where an action or other proceeding was pending with reference thereto at the commencement of this Act.

12. IN the discharge of all duties, as well as in the exercise of all discretions implied by or expressly cast upon a trustee, he shall exercise and be alone responsible for the want of due care and diligence.

Trustee liable for
negligence only.

13. (1.) IN any action or proceeding against a trustee, or any person claiming through him, or in reference to any trust, except where the claim is founded upon any fraud or fraudulent breach of trust to which the trustee was a party or privy, or is to recover trust property, or the proceeds thereof still retained by the trustee, or previously received by the trustee and converted to his own use, the following provisions shall apply:—

Trustee may plead
Statute of Limita-
tions in certain cases.

(a.) All rights and privileges conferred by any Statute of Limitations shall be enjoyed in the like manner and to the like extent as would have been the case if the trustee or person claiming through him had not been a trustee or person claiming through him.

(b.) If the action or proceeding is one to which no existing Statute of Limitations could be pleaded under the preceding sub-section, the trustee or person claiming through him shall be entitled to the benefit and be at liberty to plead the lapse of time as a bar in the like manner and to the like extent as if the claim had been against him (otherwise than as a trustee or person claiming through a trustee) in an action of debt for money had and received.

(c.)

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(c.) The Statute or bar by lapse of time shall run against a married woman entitled in possession to her separate use, whether with or without a restraint upon anticipation; but shall not begin to run against any beneficiary until the interest of such beneficiary shall be an interest in possession.

(2.) No beneficiary as against whom there would be a good defence by virtue of this section shall derive any greater or other benefit from a judgment or order obtained by another beneficiary than he could have obtained if he had brought such action or proceeding and this section had been pleaded.

(3.) This and the immediately preceding section extends to an executor or administrator, who for such purposes shall be included in the term trustee.

Not liable for continuing to hold investment.

14. A TRUSTEE or an executor or administrator shall not be liable for breach of trust by reason only of his continuing to hold an investment which has ceased to be an investment authorised by the instrument of trust or by the general law.

PART II.—VARIOUS POWERS AND DUTIES OF TRUSTEES.

Appointment of New Trustees.

Power of appointing new trustees.

15. (1.) WHERE a trustee, either original or substituted, and whether appointed by a Court or otherwise, is dead or remains out of the Colony for more than twelve months, or desires to be discharged from all or any of the trusts or powers reposed in or conferred on him, or refuses or is unfit to act therein, or is incapable of acting therein, then the person or persons nominated for the purpose of appointing new trustees by the instrument, if any, creating the trust, or if there is no such person, or no such person able and willing to act, and residing in the Colony, then the surviving or continuing trustees or trustee for the time being, or the personal representatives of the last surviving or continuing trustee may, by writing, appoint another person or other persons to be a trustee or trustees in the place of the trustee dead, remaining out of the Colony, desiring to be discharged, refusing, or being unfit, or being incapable as aforesaid.

Effect of appointment.

(2.) On the appointment of a new trustee for the whole or any part of trust property—

(a.) The number of trustees may be increased; and

(b.) A separate set of trustees may be appointed for any part of the trust property held on trusts distinct from those relating to any other part or parts of the trust property, notwithstanding that no new trustees

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trustees or trustee are or is to be appointed for other parts of the trust property, and any existing trustee may be appointed or remain one of such separate set of trustees; or if only one trustee was originally appointed, then one separate trustee may be so appointed for the first-mentioned part; and

(c.) It shall not be obligatory to appoint more than one new trustee where only one trustee was originally appointed, or to fill up the original number of trustees where more than two trustees were originally appointed; but, except where only one trustee was originally appointed, a trustee shall not be discharged under this section from his trust, unless there will be at least two trustees to perform the trust; and

(d.) Any assurance or thing requisite for vesting the trust property or any part thereof jointly in the persons who are the trustees shall be executed or done.

(3.) Every new trustee so appointed, as well before as after all the trust property becomes by law or by assurance or otherwise vested in him, shall have the same powers, authorities, and discretions, and may in all respects act as if he had been originally appointed a trustee by the instrument, if any, creating the trust.

(4.) The provisions of this section relative to a trustee who is dead include the case of a person nominated trustee in a will, but dying before the testator; and those relative to a continuing trustee include a refusing or retiring trustee if willing to act in the execution of the provisions of this section.

(5.) This section applies only if and as far as a contrary intention is not expressed in the instrument, if any, creating the trust, and shall have effect subject to the terms of that instrument, and to any provisions therein contained.

16. (1.) WHERE there are more than two trustees, if one of them by deed declares that he is desirous of being discharged from the trust, and if his co-trustees and such other person, if any, as is empowered to appoint trustees by deed consent to, or the Court or a Judge authorises, the discharge of the trustee and to the vesting in the co-trustees alone of the trust property, then the trustee desirous of being discharged shall be deemed to have retired from the trust, and shall, upon passing his accounts before the Master, be discharged therefrom under this Act without any new trustee being appointed in his place.

Retirement of trustee.

(2.) Any assurance or thing requisite for vesting the trust property in the continuing trustees alone shall be executed or done.

(3.)

Trustees.

(3.) This section applies only if and as far as a contrary intention is not expressed in the instrument, if any, creating the trust, and shall have effect subject to the terms of that instrument and to any provisions therein contained.

Vesting of trust
property in new or
continuing trustees.

17. (1.) WHERE a deed by which a new trustee is appointed to perform any trust contains a declaration by the appointor to the effect that any estate or interest in any land subject to the trust, or in any chattel so subject, or the right to recover and receive any debt or other thing in action so subject, shall vest in the persons who by virtue of the deed shall become and are the trustees for performing the trust, that declaration shall, without any conveyance or assignment, operate to vest in those persons, as joint tenants and for the purposes of the trust, that estate, interest, or right.

(2.) Where a deed by which a retiring trustee is discharged under this Act contains such a declaration as is in this section mentioned by the retiring and continuing trustees, and by the other person, if any, empowered to appoint trustees, that declaration shall, without any conveyance or assignment, operate to vest in the continuing trustees alone, as joint tenants and for the purposes of the trust, the estate, interest, or right to which the declaration relates.

(3.) This section does not extend to any such share, stock, annuity, or property as is only transferable in books kept by a company or other body, or in manner directed by or under Act of Parliament.

(4.) For purposes of registration of the deed, the person or persons making the declaration shall be deemed the conveying or transferring party or parties, and the conveyance or transfer shall be deemed to be made by him or them under a power conferred by this Act, and the declaration upon registration be deemed and operate as a transfer under the Transfer of Land Act, 1893, or a conveyance, as the case may be.

Purchase and Sale.

Power to sell by
auction, etc.

18. WHERE a trust for sale, or a power of sale of property is vested in a trustee, he may sell, or concur with any other person in selling all or any part of the property, either subject to prior charges or not, and either together or in lots by public auction or private contract, subject to any such conditions respecting title or evidence of title or other matter, as the trustee thinks fit, with power to vary any contract for sale, and to buy in at any auction or to rescind any contract for sale, and to resell without being answerable for any loss.

19.

Trustees.

19. (1.) NO sale made by a trustee shall be impeached by any beneficiary upon the ground that any of the conditions subject to which the sale was made may have been unnecessarily depreciatory, unless it also appears that the consideration for the sale was thereby rendered inadequate.

Sale subject to depreciatory conditions.

(2.) No sale made by a trustee shall, after the execution of the contract of purchase and sale, or the conveyance or transfer, be impeached as against the purchaser upon the ground that any of the conditions subject to which the sale was made may have been unnecessarily depreciatory, unless it appears that the purchaser was acting in collusion with the trustee at the time when the contract for sale was made.

(3.) No purchaser upon any sale made by a trustee shall be at liberty to make any objection against the title upon the ground aforesaid.

20. A TRUSTEE who is either a vendor or a purchaser may sell or buy without excluding the application of section two of the Vendor and Purchaser Act, 1878.

Power to sell under 42 Vict., 10.

21. WHEN any land or hereditament is vested in a married woman as a bare trustee, she may transfer, convey, or surrender it as if she were a *feme sole*.

Married woman as bare trustee may transfer.

Various Powers and Liabilities.

22. (1.) A TRUSTEE may appoint a solicitor to be his agent to receive and give a discharge for any money or valuable consideration, or property receivable by the trustee under the trust, by permitting the solicitor to have the custody of and to produce any deed signed by the trustee and containing a receipt; and a trustee shall not be chargeable with breach of trust by reason only of his having made or concurred in making any such appointment; and the producing of any such deed by the solicitor shall be a sufficient authority to receive the money consideration or property, as the case may be.

Power to authorise solicitor to receive money,

(2.) A trustee may appoint a banker or solicitor to be his agent to receive and give discharge for any money payable to the trustee under or by virtue of a policy of assurance, by permitting the banker or solicitor to have the custody of and to produce the policy of assurance, with a receipt signed by the trustee; and a trustee shall not be chargeable with a breach of trust by reason only of his having made or concurred in making any such appointment.

or banker.

(3.) Nothing in this section shall exempt a trustee from any liability which he would have incurred if this section had not been passed, in case he permits any such money, valuable consideration,

or

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or property to remain in the hands or under the control of the banker or solicitor for a period longer than is reasonably necessary to enable the banker or solicitor (as the case may be) to pay or transfer the same to the trustees.

(4.) This section applies only where the money or valuable consideration or property is received after the passing of this Act.

Power to insure.

23. (1.) A TRUSTEE may insure against loss or damage by fire any building or other insurable property, including rent to any amount (including the amount of any insurance already on foot) not exceeding three equal fourth parts of the full value of such building or property, and pay the premiums for such insurance out of the income thereof, or out of the income of any other property subject to the same trusts without obtaining the consent of any person who may be entitled wholly or partly to such income.

Power to let.

(2.) A trustee may lease or let any real estate for any term not exceeding seven years at such rent and on such terms and conditions as the trustee thinks fit, and may accept surrender leases.

Power to renew leases.

24. (1.) A TRUSTEE of any leaseholds for lives or years which are renewable under any covenant or contract or otherwise may, if he thinks fit, and shall, if thereto required by any person having any beneficial interest, present or future or contingent, in the leaseholds, use his best endeavours to obtain from time to time a renewed lease of the same hereditaments on the agreed or reasonable terms, and for that purpose may from time to time make or concur in making a surrender of the lease for the time being subsisting, and do all such other acts as are requisite: Provided that where, by the terms of the settlement or will, the person in possession for his life or other limited interest is entitled to enjoy the same without any obligation to renew, or to contribute to the expense of renewal, this section shall not apply unless the consent in writing of that person is obtained to the renewal on the part of the trustee.

(2.) If money is required to pay for the renewal, the trustee effecting the renewal may pay the same out of any money then in his hands in trust for the persons beneficially interested in the lands to be comprised in the renewed lease; and if he has not in his hands sufficient money for the purpose, he may raise the money required by mortgage of the hereditaments to be comprised in the renewed lease, or of any other hereditaments for the time being subject to the uses or trusts to which those hereditaments are subject, and no person advancing money upon a mortgage purporting to be under this power shall be bound to see that the money is wanted, or that no more is raised than is wanted for the purpose.

25.

Trustees.

25. THE receipt in writing of any trustee, or of any person thereto authorised by him, in writing, for any money, securities, or other personal property, or effects payable, transferable, or deliverable to him, under any trust or power, shall be a sufficient discharge for the same, and shall effectually exonerate the person paying, transferring, or delivering the same from seeing to the application, or being answerable for any loss or misapplication thereof.

Power of trustee to give receipts.

26. TWO or more trustees acting together, or a sole acting trustee, where by the instrument, if any, creating the trust a sole trustee is authorised to execute the trusts and powers thereof, may, if and as he or they may think fit, accept any composition, or any security, real or personal, for any debt or for any property, real or personal, claimed, and may allow any time for payment for any debt, and may compromise, compound, abandon, submit to arbitration, or otherwise settle any debt, account, claim, or thing whatever relating to the trusts, and for any of those purposes may enter into, give, execute, and do such agreements, instruments of composition, or arrangement, releases, and other things as to him or them seem expedient, without being responsible for any loss occasioned by any act or thing so done by him or them in good faith.

Power for trustees to compound, etc.

27. WHERE a power or trust is given to or vested in two or more trustees jointly then, unless the contrary is expressed in the instrument, if any, creating the power or trust, the same may be exercised or performed by the survivor or survivors of them for the time being.

Powers of two or more trustees.

28. A TRUSTEE acting or paying money in good faith under or in pursuance of any power of attorney shall not be liable for any such act or payment by reason of the fact that, at the time of the payment or act, the person who gave the power of attorney was dead or had done or suffered some act to avoid the power, if this fact was not known to the trustee at the time of his so acting or paying.

Exoneration of trustees in cases of powers of attorney.

Provided that nothing in this section shall affect the right of any person entitled to the money against the person to whom the payment is made, and that the person so entitled shall have the same remedy against the person to whom the payment is made as he would have had against the trustee.

29. A TRUSTEE shall, without prejudice to the provisions of the instrument, if any, creating the trust, be chargeable only for money and securities actually received by him, notwithstanding his signing any receipt for the sake of conformity, and shall be answerable and accountable only for his own acts, receipts, neglects, or

Implied indemnity of trustees.

Trustees.

or defaults, and not for those of any other trustee, nor for any banker, broker, or other person with whom any trust moneys or securities may be deposited, nor for the insufficiency or deficiency of any securities, nor for any other loss, unless the same happens through his own wilful default; and may reimburse himself or pay or discharge out of the trust premises all expenses incurred in or about the execution of his trusts or powers.

PART III.—POWERS OF THE COURT.

Appointment of New Trustees and Vesting Orders.

Power of Court
to appoint new
trustees.

30. (1.) THE Court may, whenever it is expedient to appoint a new trustee or new trustees, and it is found inexpedient, difficult, or impracticable so to do without the assistance of the Court, make an order for the appointment of a new trustee or new trustees, either in substitution for or in addition to any existing trustee or trustees, or although there is no existing trustee. In particular, and without prejudice to the generality of the foregoing provision, the Court may make an order for the appointment of a new trustee in substitution for a trustee who desires to be discharged, or is convicted of felony or misdemeanour, or is bankrupt or insolvent.

(2.) An order under this section, and any consequential vesting order, transfer, or conveyance, shall not operate further or otherwise as a discharge to any discharged, former, or continuing trustee than an appointment of new trustees under any power for that purpose contained in any instrument would have operated.

Vesting orders as to
land.

31. IN any of the following cases, namely:—

- (1.) Where the Court appoints, or has appointed, a new trustee; and
- (2.) Where a trustee, entitled to or possessed of any land, or entitled to a contingent right therein, either solely or jointly, with any other person—
 - (a.) Is an infant; or
 - (b.) Is out of the jurisdiction of the Court; or
 - (c.) Cannot be found; and
- (3.) Where it is uncertain who was the survivor of two or more trustees jointly entitled to or possessed of any land; and
- (4.) Where, as to the last trustee known to have been entitled to or possessed of any land, it is uncertain whether he is living or dead; and
- (5.) Where there is no heir or personal representative to a trustee who was entitled to or possessed of land, and has died

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died intestate as to that land, or where it is uncertain who is the heir or personal representative or devisee of a trustee who was entitled to or possessed of land and is dead; and

- (6.) Where a trustee, jointly or solely entitled to a contingent right therein, has been required, by or on behalf of a person entitled to require a conveyance of the land or a conveyance of the land or to release the land or neglected to convey the land within twenty-eight days after the

Act called a vesting order) in any such manner, and for effect or releasing or disposing of the land, the Court may direct.

vesting order shall be vested for such period as the Court may direct in the persons who, in the absence of the trustees; and

- (b.) Where a trustee is entitled jointly with another person, and such trustee is out of the jurisdiction of the Supreme Court or cannot be found, the land or right shall be vested in such other person either alone or with some other person.

32. WHERE any land is subject to a contingent right in an unborn person or class of unborn persons who, on coming into existence, would, in respect thereof, become entitled to or possessed of the land on any trust, the Court may make an order releasing the land from the contingent right, or may make an order vesting in any person the estate to or of which the unborn person or class of unborn persons would, on coming into existence, be entitled or possessed in the land.

Orders as to contingent rights of unborn persons.

33. WHERE any person entitled to or possessed of land, or entitled to a contingent right in the land by way of security for money, is an infant, the Court may make an order vesting or releasing or disposing of the land or right in like manner as in the case of an infant trustee.

Vesting order in case of infant mortgagee.

34. WHERE a mortgagee of land has died without having entered into the possession or into the receipt of the rents and profits hereof, and the money due in respect of the mortgage has been paid to a person entitled to receive the same, or that last-mentioned person

Vesting order where mortgagee dies without discharging land

Trustees.

person consents to any order for the reconveyance of the land or discharge or mortgage, then the Court may make an order vesting the land in such person or persons, in such manner and for such estate as the Court may direct in any of the following cases, namely:--

- (a.) Where an heir or personal representative or devisee of the mortgagee is out of the jurisdiction of the Court or cannot be found; and
- (b.) Where an heir or personal representative or devisee of the mortgagee, on demand made by or on behalf of a person entitled to require a conveyance of the land or discharge of the mortgage, has stated in writing that he will not convey or discharge the same, or does not convey or discharge the same for the space of twenty-eight days next after a proper deed for conveying in the land or discharge has been tendered to him by or on behalf of the person so entitled; and
- (c.) Where it is uncertain which of several devisees of the mortgagee was the survivor; and
- (d.) Where it is uncertain as to the survivor of several devisees of the mortgagee, or as to the heir or personal representative of the mortgagee whether he is living or dead; and
- (e.) Where there is no heir or personal representative to a mortgagee who has died intestate as to the land, or where the mortgagee has died and it is uncertain which he is, heir or personal representative or devisee.

Vesting order consequential on judgment for sale or mortgage of land.

35. WHERE the Court gives a judgment or makes an order directing the sale or mortgage of any land, every person who is entitled to or possessed of the land, or entitled to a contingent right therein, and is a party to the action or proceeding in which the judgment or order is given or made, or is otherwise bound by the judgment or order, shall be deemed to be so entitled or possessed, as the case may be, as a trustee within the meaning of this Act, and the Court may if it thinks expedient, make an order vesting the land, or any part thereof for such estate as that Court thinks fit, in the purchaser or mortgagee or in any other person.

Vesting order in case of specific performance.

36. WHERE a judgment is given for the specific performance of a contract concerning any land, or for the partition or sale in lieu of partition or exchange of any land, or generally where any judgment is given for the conveyance or transfer of any land, either in cases arising out of the doctrine of election or otherwise, the Court may declare that any of the parties to the action are trustees of the land or any part thereof within the meaning of this Act, or may declare that

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that the interests of the unborn persons who might claim under any property to the action or under the will or voluntary settlement of any person deceased who was, during his lifetime, a party to the contract or transactions concerning which the judgment is given, are the interests of persons who, on coming into existence, would be trustees within the meaning of this Act; and thereupon the Court may make a vesting order relating to the rights of those persons, born and unborn, as if they had been trustees.

37. A VESTING order under any of the foregoing provisions shall, in the case of a vesting order consequential on the appointment of a new trustee, have the same effect as if the persons who, before the appointment, were the trustees (if any) had duly executed all proper conveyances or transfers of the land for such estate as the Court directs; or if there is no such person or no such person of full capacity, then as if such a person had existed and been of full capacity and had duly executed all proper conveyances or transfers of the land for such estate as the Court directs, and shall, in every other case, have the same effect as if the trustee or other person or description or class of persons to whose rights or supposed rights the said provisions respectfully relate had been an ascertained and existing person of full capacity, and had executed a conveyance, transfer, or release to the effect intended by the order.

Effect of vesting order.

38. IN all cases where a vesting order can be made under any of the foregoing provisions, the Court may, if it is more convenient, appoint a person to convey or transfer the land or release the contingent right, and a conveyance, transfer, or release by that person in conformity with the order shall have the same effect as an order under the appropriate provision.

Power to appoint a person to convey.

39. (1.) IN any of the following cases, namely:—

- (i.) Where the Court appoints or has appointed a new trustee; and
- (ii.) Where a trustee entitled alone or jointly with another person to stock or to a chose in action—
 - (a.) Is an infant; or
 - (b.) Is out of the jurisdiction of the Court; or
 - (c.) Cannot be found; or
 - (d.) Neglects or refuses to transfer stock, or receive the dividends or income thereof, or to sue for or recover a chose in action, according to the direction of the person absolutely entitled thereto, for twenty-eight days next after a request in writing has been made to him by the person so entitled; or
 - (e.)

Vesting orders as to stock and choses in action.

Trustees.

(e.) Neglects or refuses to transfer stock or receive the dividends or income thereof, or to sue for or recover a chose in action for twenty-eight days next after an order of the Court for that purpose has been served on him ; or

(iii.) Where it is uncertain whether a trustee, entitled alone or jointly with another person to stock or to a chose in action, is alive or dead,

the Court may make an order vesting the right to transfer or call for a transfer of stock, or to receive the dividends or income thereof, or to sue for or recover a chose in action in any such person as the Court may appoint :

Provided that where the order is consequential on the appointment by the Court of a new trustee, the right shall be vested in the persons who, on the appointment, are the trustees ; and where the person whose right is dealt with by the order was entitled jointly with another person, the right shall be vested in that last-mentioned person either alone or jointly with any other person whom the Court may appoint.

(2.) In all cases where a vesting order can be made under this section, the Court may, if it is more convenient, appoint some proper person to make or join in making the transfer.

(3.) The person in whom the right to transfer or call for the transfer of any stock is vested by an order of the Court under this Act may transfer the stock to himself or any other person, according to the order, and all companies and persons shall obey every order under this section according to its tenor.

(4.) After notice in writing of an order under this section, it shall not be lawful for any company or person to transfer any stock to which the order relates, or to pay any dividends thereon, except in accordance with the order.

(5.) The Court may make declarations and give directions concerning the manner in which the right to any stock or chose in action vested under the provisions of this Act is to be exercised.

(6.) The provisions of this Act as to vesting orders shall apply to shares in ships registered under the Acts relating to merchant shipping as if they were stock.

New trustee may be appointed on application of a beneficiary.

40. (1.) AN order under this Act for the appointment of a new trustee, or concerning any land, stock, or chose in action, subject to a trust, may be made on the application of any person beneficially interested in the land, stock, or chose in action, whether under disability or not, or on the application of any person duly appointed trustee thereof.

(2.)

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(2.) An order under this Act concerning any land, stock, or chose in action subject to a mortgage may be made on the application of any person beneficially interested in the equity of redemption, whether under disability or not, or of any person interested in the money secured by the mortgage.

41. EVERY trustee appointed by a Court of competent jurisdiction shall, as well before as after the trust property becomes, by law or by assurance or otherwise, vested in him, have the same powers, authorities, and discretions, and may in all respects act as if he had been originally appointed a trustee by the instrument, if any, creating the trust.

Power of trustee appointed by the Court.

42. THE Court may order the costs and expenses of and incident to any application under this Act, or of and incident to any such order, or any conveyance or transfer in pursuance thereof, to be paid or raised out of the land or personal estate in respect whereof the same is made, or out of the income thereof, or to be borne and paid in such manner or by such persons as to the Court may seem just.

Power to charge costs on trust estate.

43. THE powers conferred by this Act as to vesting orders may be exercised for vesting any land, stock, or chose in action in any trustee of a charity or society, or other body over which the Court would have jurisdiction upon action duly instituted, whether the appointment of the trustee was made by instrument under a power or by the Court under its general or statutory jurisdiction.

Trustees of societies.

44. WHERE a vesting order is made as to the land under this Act or any Act relating to lunacy, founded on an allegation of the personal incapacity of a trustee or mortgagee, or on an allegation that a trustee or the other personal representative or devisee of a mortgagee is out of the jurisdiction of the Court, or cannot be found, or that it is uncertain which of several trustees or which of several devisees of a mortgagee was the survivor, or whether the last trustee, or the heir or personal representative or last surviving devisee of a mortgagee is living or dead, or on an allegation that any trustee or mortgagee has died intestate, without an heir, or has died and it is not known who is his heir or personal representative or devisee, the fact that the order has been so made shall be conclusive evidence of the matter so alleged, in any Court, upon any question as to the validity of the order; but this section shall not prevent the Court from directing a reconveyance, or the payment of costs occasioned by any such order, if improperly obtained.

Orders in certain cases to be conclusive evidence.

45.

Trustees.

Court may make any order in connection with estates.

45. (1.) THE Court may, on the application of any trustee, make such orders as to it may seem meet in all or any of the following matters:—

- (i.) The improvement or repair of any part of the trust estate.
- (ii.) The conduct and management of any business forming part of the trust estate.
- (iii.) The leasing for any term of any part of the trust estate.
- (iv.) The sale or exchange or mortgage of any part of the trust estate.
- (v.) The purchase of any land for the protection or improvement of the trust estate.
- (vi.) All questions arising in connection with the administration of the trust, the control or management of the trust estate, and the construction of the instrument creating the trusts, including the rights of all beneficiaries under the trust.

(2.) The Court may by any order direct the manner in which all moneys necessary for any of the purposes, or incurred in connection with any application aforesaid, shall be raised and paid, and the person or class of persons against whose interest such moneys shall be charged.

(3.) Any order may be made under this section notwithstanding anything to the contrary contained or expressed in the instrument creating the trust: Provided that such order is, in the opinion of the Court, beneficial, having regard to the estate and all persons or the majority of persons interested therein.

Payment into Court by trustees.

46. (1.) TRUSTEES or the majority of trustees having in their hands or under their control money or securities belonging to a trust may pay the same into the Court, and the same shall, subject to rules of Court, be dealt with according to the orders of the Court.

(2.) The receipt or certificate of the proper officer shall be sufficient discharge to trustees for the money or securities so paid into Court.

(3.) Where any moneys or securities are vested in any persons as trustees, and the majority are desirous of paying the same into Court, but the concurrence of the other or others cannot be obtained, the payment into Court may, with the consent of the Court, be made by the majority without the concurrence of the other or others: and where any such money or securities are deposited with any banker, broker, or other depositary, the Court may

Trustees.

Power to make order
in absence of parties.

within the jurisdiction, or is not *sui juris*, or cannot be found, the Court may appoint some person to represent such party, or may proceed in the absence of such party; and all orders made shall be as binding on such party as if personally present and *sui juris*.

48. (1.) WHERE a trustee or other person is, for the time being, authorised to dispose of land by way of sale, exchange, or partition, he may so dispose thereof, with an exception or reservation of any minerals, and with or without rights and powers of or incidental to the working, getting, or carrying away of the minerals, or so disposing of the minerals with or without the said rights or powers separately from the residue of the land.

Power to sell land
apart from minerals.

(2.) Nothing in this section shall derogate from any power which a trustee may have under the Settled Land Act, 1892, or otherwise.

49. (1.) WHERE a trustee commits a breach of trust at the instigation or request or with the consent in writing of a beneficiary, the Court shall, notwithstanding that the beneficiary may be a married woman entitled for her separate use and restrained from anticipation, make such order as to the Court seems just for impounding all or any part of the interest of the beneficiary in the trust estate by way of indemnity to the trustee or person claiming through him.

Beneficiary to
indemnify trustee.

(2.) This section shall apply to breaches of trust committed as well before as after the passing of this Act, but shall not apply so
as

Trustees.

or defaults, and not for those of any other trustee, nor for any banker, broker, or other person with whom any trust moneys or securities may be deposited, nor for the insufficiency or deficiency of any securities, nor for any other loss, unless the same happens through his own wilful default; and may reimburse himself or pay or discharge out of the trust premises all expenses incurred in or about the execution of his trusts or powers.

PART III.—POWERS OF THE COURT.

Appointment of New Trustees and Vesting Orders.

Power of Court
to appoint new
trustees.

30. (1.) THE Court may, whenever it is expedient to appoint a new trustee or new trustees, and it is found inexpedient, difficult, or impracticable so to do without the assistance of the

Page 406.

64 Vict., No. 17, Section 30.—*See* W.A. Law Reports, Vol. VI., p. 149.

a new trustee in substitution for a trustee who desires to be discharged, or is convicted of felony or misdemeanour, or is bankrupt or insolvent.

(2.) An order under this section, and any consequential vesting order, transfer, or conveyance, shall not operate further or otherwise as a discharge to any discharged, former, or continuing trustee than an appointment of new trustees under any power for that purpose contained in any instrument would have operated.

Vesting orders as to
land.

31. IN any of the following cases, namely:—

- (1.) Where the Court appoints, or has appointed, a new trustee; and
- (2.) Where a trustee, entitled to or possessed of any land, or entitled to a contingent right therein, either solely or jointly, with any other person—
 - (a.) Is an infant; or
 - (b.) Is out of the jurisdiction of the Court; or
 - (c.) Cannot be found; and
- (3.) Where it is uncertain who was the survivor of two or more trustees jointly entitled to or possessed of any land; and
- (4.) Where, as to the last trustee known to have been entitled to or possessed of any land, it is uncertain whether he is living or dead; and
- (5.) Where there is no heir or personal representative to a trustee who was entitled to or possessed of land, and has died

Trustees.

died intestate as to that land, or where it is uncertain who is the heir or personal representative or devisee of a trustee who was entitled to or possessed of land and is dead; and

- (6.) Where a trustee, jointly or solely entitled to a contingent right therein, has been required, by or on behalf of a person entitled to require a conveyance of the land or a release of the right to convey the land or to release the right, and has wilfully refused or neglected to convey the land or release the right for twenty-eight days after the date of the requirement,

the Court may make an order (in this Act called a vesting order) vesting the land in any such person, in any such manner, and for any such estate as the Court may direct or releasing or disposing of the contingent right to such person as the Court may direct.

Provided that—

- (a.) Where the order is consequential on the appointment of a new trustee, the land shall be vested for such estate as the Court may direct in the persons who, on the appointment, are the trustees; and
- (b.) Where the order relates to a trustee entitled jointly with another person, and such trustee is out of the jurisdiction of the Supreme Court or cannot be found, the land or right shall be vested in such other person either alone or with some other person.

32. WHERE any land is subject to a contingent right in an unborn person or class of unborn persons who, on coming into existence, would, in respect thereof, become entitled to or possessed of the land on any trust, the Court may make an order releasing the land from the contingent right, or may make an order vesting in any person the estate to or of which the unborn person or class of unborn persons would, on coming into existence, be entitled or possessed in the land.

Orders as to contingent rights of unborn persons.

33. WHERE any person entitled to or possessed of land, or entitled to a contingent right in the land by way of security for money, is an infant, the Court may make an order vesting or releasing or disposing of the land or right in like manner as in the case of an infant trustee.

Vesting order in case of infant mortgagee.

34. WHERE a mortgagee of land has died without having entered into the possession or into the receipt of the rents and profits hereof, and the money due in respect of the mortgage has been paid to a person entitled to receive the same, or that last-mentioned person

Vesting order where mortgagee dies without discharging land

Trustees.

as to prejudice any question in an action or other proceeding which is pending at the commencement of this Act.

Application of Act
to Settled Land Act,
1892.

50. (1.) ALL powers and provisions contained in this Act with reference to the appointment of new trustees, and the discharge and retirement of trustees, are to apply to and include trustees for the purposes of the Settled Land Act, 1892, whether appointed by the Court or by the settlement, or under provisions contained in the settlement.

(2.) This section applies and is to have effect with respect to an appointment, or a discharge, and retirement of trustees taking place before as well as after the commencement of this Act.

(3.) This section is not to render invalid, or prejudice any appointment or any discharge and retirement of trustees effected before the passing of this Act.

Trusts estates not
affected by convic-
tion.

51. PROPERTY vested in any person on any trust, or by way of mortgage, shall not, in case of that person becoming a convict within the meaning of the Imperial Act 33 and 34 Victoria 23, as adopted by the 37 Victoria 8, vest in any such administrator as may be appointed under that Act, but shall remain in the trustee or mortgagee, or survive to his co-trustee, or descend to his representative, as if he had not become a convict: Provided that this enactment shall not affect the title to the property so far as relates to any beneficial interest therein of any such trustee or mortgagee.

Indemnity.

52. THIS Act, and every order purporting to be made under this Act, shall be a complete indemnity to all persons for any acts done pursuant thereto, and it shall not be necessary for any person to inquire concerning the propriety of the order, or whether the Court by which it was made had jurisdiction to make the same.

Trustee's power of
delegation.

53. (1.) A TRUSTEE who, for the time being, resides out of Western Australia, or is about to so reside temporarily or otherwise, may, if not expressly prohibited by the instrument creating the trust, by power of attorney, under seal, delegate to any person or persons residing in Western Australia, all or any of the powers, authorities, and discretions vested in such trustee.

(2.) Every deed, act, matter, and thing executed, done, and performed by such attorney or attorneys shall be as valid and effectual as if executed, done, and performed by the trustee.

54.

Trustees.

54. TRUSTEES may, by written notice signed by them, authorise any Bank to honour cheques, bills, and drafts drawn upon the banking account of the trust by any one or more of such trustees, and, until such authority is cancelled by written notice to the Bank, the latter shall be entitled to pay all cheques, bills, and drafts so drawn.

Trustee's Bank Account.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Trustees.

THE SCHEDULE.

Act.	Extent of Repeal.
22 and 23 Victoria, Cap. 35 (Imperial). Adopted by 31 Victoria, No. 8	Sections 26, 30, 31 and 32.
23 and 24 Victoria, Cap. 38 (Imperial). Adopted by 31 Victoria, No. 8	The whole, except Sections 6, 7, and 8
23 and 24 Victoria, Cap. 145 (Imperial). Adopted by 31 Victoria, No. 8	Sections 8 and 9.
53 Victoria, No. 14	The whole.
59 Victoria, No. 28	The whole.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XVIII.

AN ACT to amend the Law relating to the
Export of Arms, Military and Naval Stores,
and Munitions of War.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parlia-
ment assembled, and by the authority of the same, as follows:—

1. THE Governor is hereby empowered, by proclamation, to
prohibit the exportation of all or any of the following articles,
namely: Arms, ammunition, military and naval stores, and any
article which the Governor shall judge capable of being converted
into, or made useful in increasing, the quantity of arms, ammunition,
or military and naval stores, to any country or place named in such
proclamation, whenever the Governor shall judge such prohibition
to be expedient in order to prevent such arms, ammunition, or
military or naval stores being used against Her Majesty's subjects
or forces, or against any forces engaged, or which may be engaged,
in

Power to prohibit
the export of arms,
etc.

Exportation of Arms.

in military or naval operations in co-operation with Her Majesty's forces: And if any articles so prohibited are exported from this Colony, or carried coastwise, or are water-borne to be so exported or carried, they shall be forfeited.

Short title and
incorporation with
Act 35 Vict., No. 9.

2. THIS Act may be cited as the Exportation of Arms Act, 1900, and shall be read as one with the Export of Arms and Munitions of War Prohibition Act, 1871.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XIX.

AN ACT amending the Law relating to
Conspiracy and Protection of Property.

[Assented to, 5th December, 1900.]

WHEREAS doubts have arisen as to whether the Acts relating to Conspiracy and Protection of Property, and like subjects, in force in England at the time of the settlement of Western Australia are in force in this Colony: And whereas it is desirable that such doubt should be removed by the introduction of legislation in lieu of the provisions of the said Acts: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. THIS Act may be cited as the Conspiracy and Protection of Property Act of 1900.

Short title.

2.

Conspiracy and Protection of Property.

Amendment of law
as to conspiracy in
trade disputes.

2. AN agreement or combination by two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute between employers and workmen shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime.

Nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace, or sedition, or any offence against the State or the Sovereign.

A crime, for the purposes of this section, means an offence punishable on indictment, or an offence which is punishable on summary conviction, and for the commission of which the offender is liable, under the statute making the offence punishable, to be imprisoned, either absolutely or at the discretion of the Court, as an alternative for some other punishment.

Where a person is convicted of any such agreement or combination as aforesaid to do or procure to be done an act which is punishable only on summary conviction, and is sentenced to imprisonment, the imprisonment shall not exceed three months, or such longer time, if any, as may have been prescribed by the statute for the punishment of the said act when committed by one person.

Breach of contract
by persons employed
in supply of gas or
water.

3. WHERE a person employed by a municipal authority or by any company or contractor upon whom is imposed, by Act of Parliament, the duty, or who have otherwise assumed the duty, of supplying any city, borough, town, or place, or any part thereof, with electric light, gas, or water, breaks a contract of service, without giving seven days' notice of his intention so to do, with that authority, or company, or contractor, knowing or having reasonable cause to believe that the probable consequences of his so doing, either alone or in combination with others, will be to deprive the inhabitants of that city, borough, town, place, or part, wholly or to a great extent of their supply of electric light, gas, or water, he shall, on conviction thereof by a Court of summary jurisdiction, or on indictment as hereinafter mentioned, be liable either to pay a penalty not exceeding Ten pounds or to be imprisoned for a term not exceeding one month, with or without hard labour.

Every such municipal authority, company, or contractor as is mentioned in this section shall cause to be posted up at the gasworks or waterworks, as the case may be, belonging to such authority, or company, or contractor, a printed copy of this section in some conspicuous place where the same may be conveniently read by the persons employed, and as often as such copy becomes defaced, obliterated, or destroyed, shall cause it to be renewed with all reasonable despatch.

If

Conspiracy and Protection of Property.

Pages 420, 421. 64 VICT., No. 19.—Sections 3 and 4 amended by 1 & 2 Edwd.
VII., No. 14: Strike out the words “or on indictment as
hereinafter mentioned.”

^Apenalty not exceeding Forty shillings.

4. WHERE any person breaks a contract of service or of hiring, without giving seven days' notice of his intention so to do, knowing or having reasonable cause to believe that the probable consequences of his so doing, either alone or in combination with others, will be to endanger human life or cause serious bodily injury, or to expose valuable property, whether real or personal, to destruction or serious injury, he shall, on conviction thereof by a Court of summary jurisdiction, or on indictment as hereinafter mentioned, be liable either to pay a penalty not exceeding Ten pounds or to be imprisoned for a term not exceeding one month, with or without hard labour.

Breach of contract
involving injury to
persons or property.

5. THE purposes of any trade union shall not, by reason merely that they are in restraint of trade, be deemed to be unlawful, so as to render any member of such trade union liable to a criminal prosecution for conspiracy or otherwise.

Trade Unions
lawful.

6. WHERE a master, being legally liable to provide for his servant or apprentice necessary food, clothing, medical aid, or lodging, wilfully, and without lawful excuse, refuses or neglects to provide the same, whereby the health of the servant or apprentice is or is likely to be seriously or permanently injured, he shall, on summary conviction, be liable either to pay a penalty not exceeding Twenty pounds or to be imprisoned for a term not exceeding six months, with or without hard labour.

Penalty for neglect
by master to provide
food, clothing, etc.,
for servant or
apprentice.

7. EVERY person who, with a view to compel any other person to abstain from doing, or to do, any act which such other person has a legal right to do or abstain from doing, wrongfully and without

Penalty for intima-
tion or annoyance by
violence or otherwise.

Pages 421, 422. 64 VICT., No. 19.—Sections 7 and 8 repealed by 1 & 2 Edwd.
VII., No. 14.

- (2.) Persistently follows such other person about from place to place; or
- (3.) Hides any tools, clothes, or other property owned or used by such other person, or deprives him of, or hinders him in the use thereof; or

(4.)

Conspiracy and Protection of Property.

- (4.) Watches or besets the house or other place where such person resides, or works, or carries on his business, or happens to be, or the approach to such house or place ;
or
- (5.) Follows such other person, with two or more other persons, in a disorderly manner in or through any street or road,

shall, on conviction thereof by a Court of summary jurisdiction, or on indictment as hereinafter mentioned, be liable for the offence created by sub-section one, either to pay a penalty not exceeding Twenty pounds, or to be imprisoned for a term not exceeding three months, with or without hard labour, or for the offences created by sub-sections two and three, to pay a penalty not exceeding Ten pounds, or to be imprisoned for a term not exceeding one month, with or without hard labour.

Attending at or near the house or place where a person resides or works or carries on business or happens to be, or the approach to such house or place, in order merely to obtain or communicate information shall not be deemed a watching or besetting within the meaning of this section.

Power for offender under this Act to be tried on indictment, and not by Court of summary jurisdiction.

8. WHERE a person is accused before a Court of summary jurisdiction of any offence made punishable by this Act, and for which a penalty or imprisonment is imposed, the accused may, on appearing before the Court of summary jurisdiction, declare that he objects to being tried for such offence by a Court of summary jurisdiction, and thereupon the Court of summary jurisdiction may deal with the case in all respects as if the accused were charged with an indictable offence, and not an offence punishable on summary conviction, and the offence may be prosecuted on indictment accordingly.

Proceedings before a Court of summary jurisdiction.

9. EVERY offence under this Act which is made punishable on conviction by a Court of summary jurisdiction, or on summary conviction, and every penalty under this Act recoverable on summary conviction, may be prosecuted and recovered in manner provided by provisions of Ordinance No. 5, passed in the fourteenth year of Her present Majesty.

Appeal.

10. ANY person convicted in a Court of summary jurisdiction of an offence under this Act may appeal from any such conviction or order in the manner prescribed by the Police Act of 1892 and any amendments thereof.

Saving as to sea service.

11. NOTHING in this Act shall apply to seamen or to apprentices to the sea service.

12.

Conspiracy and Protection of Property.

12. NO person who is an owner, part owner, master, or manager of or in a similar trade, occupation, business, or calling in connection with which any charge or prosecution under this Act may arise shall be competent to sit either as a magistrate or juror on the hearing of such charge or prosecution.

Master not to act as
magistrate, etc.

13. IN this Act the expression "Municipal Authority" means any of the following authorities, that is to say:

Definitions of
"Municipal
authority" and
"public company."

The Town Council of any borough, for the time being, subject to the Municipal Institutions Act of 1895, and any Act amending the same, any commissioners, trustees, or other persons invested by any local Act of Parliament with powers of improving, cleansing, lighting, or paving any town, and any local board.

Any Municipal authority, or company, or contractor who has obtained authority by or in pursuance of any general or local Act of Parliament to supply the streets of any city, borough, town, or place, or of any part thereof with electric light, gas, or which is required, by or in pursuance of any general or local Act of Parliament, to supply water on demand to the inhabitants of any city, borough, town, or place, or any part thereof, shall, for the purposes of this Act, be deemed to be a Municipal authority, or company, or contractor upon whom is imposed, by Act of Parliament, the duty of supplying such city, borough, town, or place, or part thereof, with electric light, gas, or water.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.



Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Page 425. 64 VICT., No. 20.—Repealed by 1 & 2 Edwd. VII., No. 21.

Disputes by Conciliation and Arbitration.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Industrial Conciliation and Arbitration Act, 1900.

Short title.

2. IN this Act, unless the context otherwise requires,—

Interpretation.

“Association” means an Industrial Association registered under this Act.

N.Z. Industrial, etc., Act, 1894, 2.

“Board” means a Board of Conciliation constituted under this Act.

“Court” means a Court of Arbitration constituted under this Act.

“Employer”

Industrial Conciliation and Arbitration.

“Employer” includes persons, firms, partnerships, and corporations employing workers.

“Industrial dispute” means any dispute arising between one or more employers or industrial unions or associations of employers and one or more industrial unions or associations of workers, in relation to industrial matters as herein defined.

“Industrial matters” means all matters or things affecting or relating to work done, or to be done, or the privileges, rights, and duties of employers or workers in any industry, and not involving questions which are or may be the subject of proceedings for an indictable offence, and, without limiting the general nature of the above definition, includes all or any matters relating to—

(a.) The wages, allowances, or remuneration of any persons employed in any industry, or the prices paid or to be paid therein in respect of such employment ;

(b.) The hours of employment, sex, age, qualification, or status of workers, and the mode, terms, and conditions of employment ;

(c.) The employment of children or young persons ;

(d.) Any established custom or usage of any industry, either generally or in the particular district affected ;

(e.) Any claim arising out of an industrial agreement.

“Industrial union” means an industrial union registered and incorporated under this Act.

“Industry” means any business, trade, manufacture, undertaking, calling, or employment in which workers are employed.

“Officer” of an industrial union, or association of workers means only the president, vice-president, secretary, or treasurer of such body.

“Party,” in relation to proceedings before the Court, includes, besides an original party to the reference or proceeding, any person, corporation, union, or branch directed by the Court to be joined in the reference or proceeding, or any person who, in the opinion of the Court, represents a party.
“Prescribed”

Industrial Conciliation and Arbitration.

“Prescribed” means prescribed by this Act or by regulations made under this Act.

“Registrar” means the Registrar of Friendly Societies.

“Union” means an industrial union.

“Worker” means and includes any person, of the age of eighteen years or more, engaged in any employment other than clerical, in the service of an employer, but shall not include—

(a.) Persons engaged under a contract of service for a period of one month or over ;

(b.) Persons under the age of eighteen years, or, being over that age, if and whilst acting in the capacity of apprentices.

Words in this Act relating to any clerk, person, officer, office, locality, association, or other matter or thing shall be construed distributively as referring to each clerk, person, officer, office, locality, association, or matter or thing to whom or to which the provision is applicable.

PART I.—REGISTRATION OF INDUSTRIAL UNIONS AND ASSOCIATIONS.

(1.)—*Industrial Unions.*

3. A SOCIETY consisting of any number of persons, not being less than five, residing within the Colony, lawfully associated for the purpose of protecting or furthering the interests of employers, or in connection with any industry in the Colony, and whether formed before or after the passing of this Act, may be registered as an industrial union under this Act.

What societies of employers may be registered.

Ibid., s. 3, and see N.Z. Industrial, etc., Act, 1895, s. 2; N.Z. Industrial, etc., Act, 1895, s. 2 (2).

Where a co-partnership firm is a member of any such society, each individual partner residing in Western Australia shall be deemed an individual member of the society and also of the industrial union when such society is registered as a union.

Ibid., s. 2 (3).

Any incorporated or registered company may be registered as an industrial union of employers.

A society consisting of any number of persons, not being less than fifteen, residing within the Colony, lawfully associated for the purpose of protecting or furthering the interests of workers or in connection with any industry in the Colony, and whether formed before

What societies of workers may be registered.

N.Z. Industrial, etc., Act, 1894, pt. s. 3.

Industrial Conciliation and Arbitration.

before or after the passing of this Act, may be registered as an industrial union under this Act.

Mode of application
and terms of rules.

4. IN order to be registered as an industrial union, a society must comply with the following provisions:—

Ibid., pt. s. 3.

(1.) An application for registration, stating the name of the proposed industrial union, shall be made to the Registrar, signed by two or more officers of the society.

N.Z. Industrial, etc.
Act, 1894, s. 3.

(2.) Such application shall be accompanied by (a) a list of the members and officers of the society; (b) two copies of the rules of the society; (c) a copy of a resolution passed by a majority of the members present at a general meeting of the society specially called in accordance with the rules for that purpose only, and desiring registration as an industrial union. In the case of an incorporated or registered company, the directors shall sufficiently represent the members for the purpose of the application, and the resolution hereby required may be a resolution of the directors.

(3.) Such rules shall specify the purposes for which the society is formed, and shall provide for—

N.Z. Industrial, etc.,
Act, 1896, s. 4.

(a.) The appointment of a committee of management, a chairman, secretary, and any other necessary officers, or, if thought fit, of a trustee or trustees; and for supplying any vacancy occurring through any cause prescribed by the rules, or by death or resignation.

(b.) The powers, duties, and the removal of the committee, and of any chairman, secretary, or other officer or trustee of the society, and the control of the committee by general or special meetings.

(c.) The manner of calling general or special meetings, the quorum thereat, and the manner of voting thereat.

(d.) The mode in which industrial agreements and any other instruments shall be made, and by whom executed on behalf of the society, and in what manner the society shall be represented in any proceedings before a Board or the Court.

(e.)

Industrial Conciliation and Arbitration.

- (e.) The custody and use of the seal, including power to alter or renew the same.
 - (f.) The control of the property of the society and the investment of the funds thereof, and for a half-yearly audit of the accounts.
 - (g.) The inspection of the books by every person having an interest in the funds thereof.
 - (h.) A register of members, and the mode in which, and the terms on which, persons shall become or cease to be members, and so that no member shall discontinue his membership without giving at least three months' previous written notice to the secretary of intention so to do, nor until such member has paid all fees or other dues payable by him to the society under its rules, and which fees or dues, in so far as they are owing for any period of membership subsequent to the registration of the society under this Act, may be sued for and recovered in any Court of competent jurisdiction by any person or authority empowered to do so by law or by such rules.
 - (i.) The conduct of the business of the society at some convenient address to be specified, and to be called the registered office of the society.
- (4.) No industrial union shall be entitled to commence and continue proceedings in the Court unless it shall lodge with the Registrar of the Supreme Court the sum of Twenty-five pounds where the number of members does not exceed fifty, and of Fifty pounds where the number exceeds fifty but does not exceed one hundred, and the sum of One hundred pounds where the number of members exceed one hundred, or shall prove to his satisfaction that it has been placed in some security approved of by him in the joint names of two members of such society and of himself, or shall deposit with the Registrar of the Supreme Court a guarantee, to be approved of by him, to pay and discharge any order of the Court to the amounts hereinbefore mentioned: Provided that no union of employers shall commence and continue proceedings in the Court until it deposits a sum of One hundred pounds, or finds security for that amount.

(5.)

Industrial Conciliation and Arbitration.

- (5.) No society shall be registered unless the Registrar or, in case of appeal, the Court is satisfied that the rules include the provisions aforesaid, and unless, in the case of a branch, the Registrar, or, in case of appeal, the Court is satisfied that it is a *bonâ fide* branch, and is of sufficient importance to be registered separately.
- (6.) The secretary of every industrial union shall, within one calendar month after the completion of the yearly audit of the accounts of the union, file with the Registrar a duly audited balance sheet of the assets and liabilities of the union, made up to the date of closing the accounts, the subject of such audit. If any such secretary shall neglect to file such balance sheet within the time aforesaid, he shall, for every such offence, forfeit and pay a sum not less than One pound and not exceeding Ten pounds.
- (7.) The Registrar shall forthwith publish such balance sheet in the *Government Gazette*.

Other provisions
respecting rules.
Ibid., s. 4.

5. (1.) THE rules may also provide for any other matters not contrary to law and for being amended, repealed, or altered, but so that the requisites of sub-section three of the last preceding section shall always be provided for.

(2.) Copies of amendments and alterations of any rules shall, after being verified by the secretary or some other officer of the society, be sent to the Registrar, who shall record the same.

(3.) A printed copy of the rules of the society shall be delivered by the society to any person requiring the same, on payment of a sum not exceeding One shilling.

Registration of
society.
Ibid., s. 5.

6. ON being satisfied that the provisions of section four in relation to an application have been complied with, the Registrar shall register the society, without fee, as an industrial union pursuant to the application, and shall issue a certificate of registry and incorporation, which, unless proved to have been cancelled, or to have expired as hereinbefore mentioned, shall be conclusive evidence of the fact of such registration and incorporation and of the validity thereof.

Incorporation of
society.
Ibid., s. 6.

7. UPON receiving such certificate every industrial union shall become a body corporate by the registered name, having perpetual succession until it is dissolved or expires as aforesaid, or the registration thereof is cancelled as hereinafter provided, and shall

Industrial Conciliation and Arbitration.

shall have a common seal. There shall be inserted in the registered name of every industrial union the word "employers" or the word "workers," according to whether such union is a union of employers or of workers, as thus: "The Bootmakers' Industrial Union of Workers."

8. EVERY industrial union may purchase or take on lease, in the name of the union or of trustees for the union, any house or building and any land, and may sell, mortgage, exchange, or let the same or any part thereof; and no purchaser, assignee, mortgagee, or tenant shall be bound to inquire whether the union or the trustees have authority for such sale, mortgage, exchange, or letting; and the receipt of such trustees shall be a discharge for the money arising therefrom.

Powers to purchase or take lease of land.

Ibid., s. 7.

9. FOR the purposes of this Act, every branch of a society shall, subject as aforesaid, be considered a distinct society, and may be separately registered as an industrial union under this Act.

Branch to be treated as distinct society.

10. NO industrial union shall be registered under a name identical with that by which any other industrial union has been registered under this Act, or so near resembling any such name as to be likely to deceive the members or the public.

Unions not to be registered by similar names.

Ibid., s. 9.

11. THE effect of registration shall be to render the industrial union, and all persons who may be members of any society registered as an industrial union at the time of registration, or who after such registration may become members of any society so registered, subject to the jurisdiction by this Act given to a Board and the Court respectively, and liable to all the provisions of this Act; and all such persons shall be bound by the rules of the industrial union during the continuance of membership.

Effect of registration.

Ibid., s. 10.

12. ANY industrial union may at any time apply to the Registrar, in the prescribed manner, for a cancellation of the registration thereof, and the Registrar, after giving six weeks' public notice of the intention so to do, may cancel such registration; but no registration shall be cancelled during the pendency of any conciliation or arbitration affecting such union until the Board or Court has given its decision or made its award, nor in any case unless the Registrar shall be satisfied that the cancellation is desired by a majority of the members of the union; and no cancellation of any registration shall relieve any industrial union, or any member thereof, from the obligation of any industrial agreement or an order, decision, or award of the Court.

Cancellation of registration in certain events.

Ibid., s. 11.

(2.)

*Industrial Conciliation and Arbitration.**(2.)—Industrial Associations.*

Councils represent-
ing industrial unions
may be registered.
Ibid., s. 12.

Application of prior
provisions of Act.

13. ANY council or other body, however designated, representing any number of industrial unions established within the Colony may be registered as an industrial association pursuant to this Act.

All the provisions of this Act hereinbefore contained in sections three to thirteen inclusive shall, *mutatis mutandis*, extend and apply to an industrial association, and shall be read and construed accordingly, so far as applicable.

No proceedings to be
taken, etc., unless
with consent of
council or industrial
association of
workers.

14. NO proceedings shall be initiated or taken, or settlement or award made, in respect of an industrial dispute, or industrial agreement entered into in connection with an industrial union of workers, consisting of less than one hundred members, excepting with the consent of the council or industrial association of workers with which it is connected or affiliated, or of which it forms part: Provided that nothing in this section contained shall apply to a union of workers unconnected with an industrial association.

(3.)—General.

Half-yearly lists of
associations and
unions to be sent to
Registrar.

Ibid., s. 13, as
amended by N.Z.
Act, No. 30 of 1895,
s. 7.

15. IN the months of January and July in every year there shall be forwarded to the Registrar by every association a list of the unions constituting such association; and in the same months in every year there shall be forwarded to the Registrar by every union a list of the members of such union with their addresses. Each such list shall specify the names of all the officers, including the trustees (if any) of each such association or union, and shall be verified by the statutory declaration of the president or chairman of each association and union, and such statutory declaration shall be *prima facie* evidence of the truth of the matters therein set forth.

Penalty for neglect
to do so.

Ibid., s. 14.

16. EVERY association or industrial union making default in forwarding to the Registrar any list required to be forwarded by the last preceding section shall be guilty of an offence against this Act, punishable by a penalty not exceeding Two pounds for every week during which such default continues; and every member of the council of any such association or committee of any such union who wilfully permits such default shall be guilty of a similar offence, punishable by a penalty not exceeding Five shillings for every week during which he wilfully permits such default.

Associations and
unions may sue in
registered name.

Ibid., s. 15.

17. EVERY association or industrial union may sue or be sued, for the purposes of this Act, by the name by which it is registered, and service of any process, notice, or any document of any kind may be effected by delivering the same to the chairman or secretary of such union or association, or by leaving the same at the registered office of such union or association.

18.

Industrial Conciliation and Arbitration.

18. ALL deeds and instruments of any kind which the association or industrial union is required to execute for the purposes of this Act, or any regulations in force thereunder, may be made and executed under the seal of such association or union, and signed by the chairman and secretary thereof, or in such other manner as may be provided in the rules of the association or union.

Mode of executing
deeds and
instruments.

Ibid., s. 16.

19. THE fees, fines, levies, and dues payable by a member to his society under its rules, so far as due and owing for any period of membership subsequent to the registration of the society under this Act, may be sued for and recovered by any person or authority empowered by law or by the rules to do so in any Court of competent jurisdiction.

Recovery of fees.

PART II.—INDUSTRIAL AGREEMENTS.

20. THE parties to industrial agreements may be (1) industrial unions, (2) industrial associations, (3) employers; and any such agreement may provide for any matter or thing affecting any industrial matter, or in relation thereto, or for the prevention or settlement of an industrial dispute.

Parties to industrial
agreements defined.

Ibid., s. 17.

21. EVERY industrial agreement may be varied, renewed, or cancelled by any subsequent industrial agreement made by and between the parties thereto, or any additional parties, but so that no person shall be deprived of the benefit of any industrial agreement to which he is a party by any subsequent industrial agreement to which he is not a party.

Agreement may be
varied, renewed, or
cancelled.

Ibid., s. 18.

22. EVERY industrial agreement shall be for a term to be specified therein, not exceeding three years from the date of the making thereof, and shall commence as follows:—"This agreement made in pursuance of the Industrial Conciliation and Arbitration Act, 1900, this day of , between , and then set out the matters agreed upon, and the date of the making of such agreement shall be the date when such agreement shall be first signed or executed by any party thereto, and such date, and the names of all industrial unions, associations, or employers parties to such agreement shall be truly stated therein.

Form and terms of
agreement.

Ibid., s. 19.

23. A DUPLICATE of every industrial agreement shall be filed with the Registrar within thirty days of the making thereof, and a fee of Five shillings shall be paid in respect of every agreement so filed.

Duplicate to be filed
in the Supreme
Court Office.

Ibid., s. 20.

24.

Industrial Conciliation and Arbitration.

Effect of agreement.
Ibid., s. 21.

24. EVERY industrial agreement, duly made and executed, shall be binding on the parties thereto, and on every person who, at any time during the term of such agreement, is a member of any industrial union or association party thereto, and on every employer who shall, in the prescribed manner, signify to the Registrar with whom such agreement is filed, concurrence therein, and every such employer shall be entitled to the benefit thereof, and be deemed to be a party thereto: And no industrial agreement shall be invalid merely by reason that it is in restraint of trade.

Provisions for enforcing industrial agreements.
N.Z. Industrial, etc., Act, 1898, s. 9 (1).

25. (1.) INDUSTRIAL agreements, whether made before or after the commencement of this Act, may be enforced in like manner as if an industrial agreement were an award of the Court, and the Court shall accordingly have full and exclusive jurisdiction to deal therewith.

Agreement may define what constitutes a breach.

N.Z. Act, 1894,
No. 14, pt. s. 22.

(2.) Any industrial agreement may fix and determine what shall constitute a breach of an agreement within the meaning of this Act.

(3.) Nothing herein contained shall deprive any person who may be damnified of his right of action for redress or compensation in respect of any breach of an agreement.

PART III.—CONCILIATION AND ARBITRATION.

(1.)—*Preliminary.*

Constitution of districts.

N.Z. Industrial, etc., Act, 1894, s. 24.

26. THE Governor may from time to time divide Western Australia, or any portion thereof, into such districts as he shall think fit, to be called "Industrial Districts," and may from time to time alter the boundaries of such districts, or create new districts, as he shall think fit, and notice of the constitution of every such district, or of the alteration of the boundaries of a district, shall be given in the *Government Gazette* as occasion requires.

Clerk of awards for each district.
Ibid., s. 25.

27. IN and for every industrial district the Governor shall appoint a Clerk of Awards (hereinafter referred to as "the Clerk"), who shall be attached to the office of the Registrar, and shall be subject to his control and direction, and the clerk shall in the prescribed manner report all proceedings taken or done before him to the Registrar.

The office of clerk may be held either separately or in conjunction with any other office in the Public Service, as the Governor may determine, and the clerk shall be paid such salary or other remuneration as the Governor thinks fit.

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28. It shall be the duty of the clerk,—

- (1.) To receive, register, and deal with all applications within his district lodged for reference of any industrial dispute to the Board for the district or to the Court ;
- (2.) To convene the Board or Court for the purpose of dealing with any such dispute, and to attend all meetings of the Board and sittings of the Court ;
- (3.) To keep a register in which shall be entered the particulars of all references and settlements of industrial disputes made to and by the Board, and of all references and awards made to and by the Court ;
- (4.) To issue all summonses to witnesses to give evidence before the Board or Court, and to issue all notices and perform all other acts in connection with the sittings of the Board or Court in the prescribed manner ; and
- (5.) Generally to do all such things, and take all such proceedings as may be required in the performance of his duties by this Act or in the prescribed manner, or, in the absence of regulations, by the directions of the Registrar.

Duties of clerk.
Ibid., s. 28.

29. THE following persons shall be disqualified from being appointed or elected or from holding office as chairman or as a member of any Board, or as a member of the Court, and, if so elected or appointed, shall be incapable of continuing to be such member or chairman.

Disqualification as member of Board or Court.
Ibid., s. 28.

- (1.) An undischarged bankrupt, or a debtor against whose estate there is a subsisting receiving order in bankruptcy ; or,
- (2.) A person who has been in any part of Her Majesty's dominions attainted or convicted of treason or felony ; or,
- (3.) A person of unsound mind.

30. (1.) WHENEVER an industrial dispute shall be referred to a Board or the Court as hereinafter provided, no industrial union or association, whether of employers or workers, and no employer who may be a party to the proceedings before the Board or Court shall, on account of such industrial dispute, do any act or thing in the nature of a strike or lock-out, or suspend or discontinue employment or work in any industry affected by such proceedings ; but each party shall continue to employ or be employed, as the case may be, on the same terms and conditions as theretofore until the Board or Court shall have come to a final decision in accordance with this Act.

When matter referred to Board or Court, no strikes or lock-out till decision given.
Ibid., s. 29.

But

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But nothing herein shall be deemed to prevent any suspension or discontinuance of any industry, or from working therein, for any other good cause.

(2.) If any such party contravenes any of the provisions of this section the Board or the Court, on the application of any other party to the proceedings, may in a summary way impose on the first-mentioned party a penalty not exceeding in the case of an industrial union Five hundred pounds, and in the case of any other person Twenty pounds, and shall specify the person to whom such penalty shall be paid.

(2.)—Boards of Conciliation.

District Board to be constituted.
Ibid., s. 30.

31. IN and for every industrial district there shall be established a Board of Conciliation, to have jurisdiction for the settlement of industrial disputes occurring in such district which may be referred to it by one or more of the parties to an industrial dispute, or by industrial agreement.

Governor to determine number of each Board.
Ibid., s. 31.

32. THE Governor may determine the number of persons who (together with the chairman) shall compose the Board of such district, subject, however, to the express provisions of the Act, and such number shall be stated in the notice of the constitution of the district

Provisions for first and subsequent elections of Boards.
Ibid., s. 32.

33. WITH respect to the first and subsequent elections of Boards, the following provisions shall have effect:—

- (1.) Every Board shall consist of such equal number of persons as the Governor may determine, being not more than six nor less than four persons, who shall be chosen by the industrial unions of employers and of workers in the industrial districts respectively, such unions voting separately and electing an equal number of such members.
- (2.) The chairman of such Board shall be in addition to the number of members before mentioned, and shall be elected as hereinafter provided.
- (3.) Each industrial union shall be deemed to be in the industrial district wherein its registered office is situate, and shall exercise its right of voting at the election of the Board of that district accordingly, or in any industrial district in which such industrial union carries on its business, or any branch or part of its business; and for such purpose any such union may be also registered in any or every of such industrial districts.

Where industrial union deemed to be situate.

N.Z. Industrial, etc., Act, 1895, as amended by Act, 1896, No. 57, s. 7.

(4.)

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(4.) Every Board shall be elected in the following manner:—

- (a.) The clerk shall act as Returning Officer and do the acts and things hereinafter required of him.
- (b.) First elections of a Board shall be held within thirty days after the constitution of the district, and the Returning Officer shall give fourteen days' notice in one or more newspapers circulating in the district of the day and place of election, which shall be so arranged that the industrial unions of employers shall vote at one time, and the industrial unions of workers at another time of the day fixed: Provided that the Governor may from time to time extend for such time as he thinks fit the period within which any election shall be held.
- (c.) Persons shall be nominated for election in such manner as the rules of the industrial union may prescribe, or, if there be no such rule, nominations shall be made in writing by the chairman of the union, and lodged with the Returning Officer at least three days before the date of election. Each nomination shall be accompanied by the written consent of the person nominated, and forms of nomination shall be provided by the Returning Officer on application to him for that purpose.
- (d.) No person whilst holding a seat on one Board shall be qualified for nomination or election to a seat on any other Board, and if he is so elected his election shall be void.
- (e.) If any person allows himself to be nominated for election as a member of more Boards than one, both nominations shall be void.
- (f.) When all the nominations have been received, the Returning Officer shall give notice of the names of persons nominated, by affixing a list thereof on the door of his office at least one clear day before the day of election.
- (g.) If it appears that no more persons are nominated than are required to be elected, the Returning Officer shall at once declare such persons elected; if the number of persons so nominated exceeds the number required to be elected, then votes shall be taken as hereinafter provided.

N.Z. Industrial, etc.,
Act, 1896, pt. s. 2.

N.Z. Industrial, etc.,
Act, 1896, pt. s. 2.

N.Z. Industrial, etc.,
Act, 1894, s. 32 (d).

(h.)

Industrial Conciliation and Arbitration.

- (h.) The Returning Officer shall preside at the election by each division of industrial unions entitled to vote, and the vote of each such union shall be signified in writing in the prescribed manner, and on being tendered by the chairman of the union, or by some person appointed by the union for that purpose, in accordance with the rules, the Returning Officer shall record the vote in such manner as he thinks fit.
- (i.) Each industrial union of employers shall have as many votes as there are persons to be elected by such industrial unions; and the persons having the highest aggregate amount of such votes, not exceeding the number of persons to be elected, shall be deemed elected by such industrial unions. Each industrial union of workers shall have as many votes as there are persons to be elected by such industrial unions; and the persons having the highest aggregate amount of such votes, not exceeding the number of persons to be elected, shall be deemed elected by such last mentioned industrial unions.
- (j.) If it shall happen that two or more candidates have an equal number of votes, the Returning Officer, in order to complete the election, shall give a vote to one or more of such candidates as he thinks fit: Provided any candidate may in any such case withdraw from the election.
- (k.) As soon as possible after the votes of each division of industrial unions have been recorded, the Returning Officer shall ascertain what persons have been elected, as before provided, and shall state the result in writing, and forthwith post the same in some public place at the place of the election.
- (l.) In case of any dispute touching the sufficiency of the nomination, the mode of election or the result thereof, or any matter incidentally arising in or in respect of such election, the same shall be decided by the Returning Officer, whose decision shall be final.
- (m.) In case any election is not completed for any cause on the day appointed, the Returning Officer may adjourn the election, or the completion thereof, to the next or any subsequent day, and may then proceed with the election.
- (n.)

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- (n.) The whole of the voting papers shall be securely kept by the Returning Officer during the election, and thereafter shall be put in a packet and kept for one month, when he shall cause the whole of them to be effectually destroyed.
- (o.) Neither the Returning Officer nor any person employed by him shall (except in discharge of his duty) disclose for whom any vote has been given or tendered, either before or after the election is completed, or retain possession of or exhibit any voting paper used at the election, or give any information to any person as to any of the matters herein mentioned; and if any person shall commit a breach of this provision he shall be liable to a penalty not exceeding Twenty pounds; but nothing herein contained shall be deemed to forbid the disclosure of any fact or the doing of any act hereby prohibited if the same be required in obedience to the process of any court of law.
- (5.) The clerk shall, after the completion of the election, appoint a day for the first meeting of the members elected, and shall give at least three days' notice in writing to each member. At such meeting the members shall elect some impartial person, willing to act and not being one of their number, to be chairman of the Board: Provided that if the members shall not have agreed upon a chairman within one month after such first meeting, it shall be lawful for the Governor to nominate some person as chairman, who shall thereupon become the chairman of the Board.

34. IF and so often as for any reason the prescribed number of members of the Board is not duly elected, as provided by this Act, the Governor shall, by notice in the *Government Gazette*, appoint as many fit persons to be members of the Board as may be necessary in order to make the prescribed number. The notice of such appointment in the *Gazette* shall be conclusive evidence of the happening of the events entitling the Governor to make the appointment.

If members of Board are not elected, Governor to appoint.
N.Z. Industrial, etc., Act, 1895, pt. s. 6.

35. AS soon as may be after the election of the chairman, the clerk shall transmit to the Governor a list of the persons appointed and of the persons elected as members and chairman of the Board respectively, and the Governor shall cause notice thereof to be published in the *Government Gazette*; and the date on which the notice is so published shall be deemed to be the date of election, and such notice shall be final and conclusive for all purposes.

Notice of appointments and elections to be gazetted.
N.Z. Industrial, etc., Act, 1894, s. 33.

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Members to hold
office for three years.
Ibid., s. 34.

36. THE members of the Board and the chairman shall hold office for three years from the date of the publication of such notice in the *Government Gazette*, and until their successors are elected.

When fresh elections
to be held.
Ibid., s. 35.

37. ON the expiration of every third year after the first election of members of a Board or of a chairman thereof, a new election shall be held on such day as the Governor may appoint, and new members and a chairman shall be elected in the manner hereinbefore provided in respect of first elections. Any retiring member or chairman shall be eligible for re-election, and all proceedings in and about such new election may be had and taken accordingly.

In what events
vacancy to occur.
Ibid., s. 36.

38. IF the chairman or any member of a Board shall die, resign, or be disqualified or incapable to act, his office shall be vacant, and the vacancy shall be supplied in the same manner as the original election, and the person so elected shall hold office in the Board only for the residue of the term of his predecessor therein. Members shall resign office by letter addressed to the chairman, and the chairman by letter to the Board.

Provision in case of
vacancy.
Ibid., s. 37.

39. UPON any casual vacancy in the office of a member of the Board being reported to the clerk, he shall take all such proceedings as may be necessary to have an election by the class of industrial union entitled to vote in the election of such member, and the provisions as to general elections shall apply accordingly as far as applicable. In the case of a casual vacancy in the office of chairman, the Board shall meet on such day and at such time as they may appoint, and elect a chairman to supply such vacancy.

Quorum of Board.

40. (1.) ANY even number of members of the Board in addition to the chairman shall constitute a quorum for the transaction of business, provided that such even number is composed equally of representatives of employers and representatives of workers.

Absence of
chairman.

(2.) In the case of the absence of the chairman, the members present may elect one of their own number to be chairman during such absence.

Mode of voting.

(3.) In all matters coming before any Board the decision of the Board shall be determined by a majority of the votes of the members present, exclusive of the chairman, except in the case of an equality of such votes, in which case only the chairman shall vote, and his vote shall decide the question.

Provision in case of
no election.
Ibid., s. 39.

41. IF at any time the industrial unions entitled to vote shall neglect or refuse to vote at the election of a member of a Board, whether in respect of a general election or of a casual vacancy, or if the

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the members of a Board shall refuse to elect a chairman, or if any person's election shall become void, the Governor shall fill the vacancy by appointment.

N.Z. Industrial, etc., Act, 1896, s. 2 (3).

42. (1.) NO act of a Board shall be questioned on the ground of any informality in the election of a member, nor on the ground that the seat of any member is vacant, or that any supposed member thereof is incapable of being a member

Act of Board not to be questioned for informality in election, etc.
Ibid., s. 40 (1).

(2.) In the event of the period of office of any Board expiring while such Board is engaged in the investigation of any industrial dispute, the Governor may, by notice in the *Government Gazette*, continue such Board in office for any time not exceeding one month, in order to enable its members to take part in the settlement of such dispute, and on the expiration of such month an election of a new Board shall be held in the manner hereinbefore provided.

If office of Board expires during hearing, Governor may continue Board in office.
Ibid., s. 40 (2).

43. (1.) WHERE no district has been constituted, or where a dispute extends into two or more districts, a special Board of Conciliators may be appointed by the Governor from time to time, to meet any case of emergency or any special case of industrial dispute. Such Board shall consist of an equal number of persons, not exceeding six.

Special Board may be created in certain cases.
Ibid., s. 41 (1).

(2.) The members of any such special Board, together with a chairman, to be elected as provided in section thirty-three, shall, except in respect of the duration of their office, possess all the jurisdiction and powers of a Board elected for an industrial district.

Powers of such Boards.

44. EVERY person appointed by the Governor to be member or chairman of a Board shall be deemed to be elected within the meaning and for the purpose of section thirty-three of this Act.

Members appointed by Governor deemed elected.
N.Z. Industrial, etc., Act, 1896, s. 3.

45. ANY industrial dispute may be referred for settlement to a Board either by or pursuant to an industrial agreement, or in the manner hereinafter provided:—

Mode of referring disputes.
N.Z. Industrial, etc., Act, 1894, s. 42.

(1.) Any party to such dispute may, in the prescribed manner, lodge an application with the clerk requiring that such dispute be referred for settlement to a Board, which application shall set out in full the matters involved in the industrial dispute to be referred to the Board, and such reference shall not, without the consent of the Board or Court, extend beyond the scope of the matters set out in such notice.

Provided always, that no union of employers or workers which has not satisfied the judgment of a Court in

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in all matters of costs of an award or penalty can again move the Court under any circumstances or under any other name until such judgment be satisfied.

But no such dispute shall be so referred for settlement by an industrial association, or industrial union, and no application shall be made to the Court for the enforcement of any award, except in pursuance of a resolution passed by a majority of the members on the rolls of such association or union, voting by ballot or by proxy, at a meeting specially summoned by at least three clear days' notice served upon each member, stating the nature of the proposal to be submitted to the meeting.

(2.) The parties to such dispute may comprise:—

- (a.) An individual employer, or several employers, and an industrial union, or association of workers.
- (b.) An industrial union, or association of employers, and an industrial union, or association of workers.

N.Z. Industrial, etc.,
Act, 1896, pt. s. 4.

Any employer, association, or industrial union may, on application, if the Board think it equitable, be joined as a party at any stage of the proceedings, and on such terms as the Board deems just.

N.Z. Industrial, etc.,
Act, 1894, s. 42, con-
tinued.

But the mention of the various kinds of parties shall not be deemed to interfere with any arrangement thereof that may be necessary to insure an industrial dispute being brought in a complete shape before the Board; and a party or parties may be withdrawn or removed from the proceedings, and another or others substituted after the reference to the Board and before any report is made, as the Board shall allow or think best adapted for the purpose of giving effect to this Act, and the Board may make any recommendation or give any direction for any such purpose accordingly.

- (3.) An employer, being a party to a reference, may appear in person or by his agent duly appointed in writing for that purpose, or by counsel or solicitor, where allowed, as hereinafter provided.
- (4.) An association, or industrial union, being party to a reference, may appear by its chairman or secretary, or by any number of persons (not exceeding three) appointed in writing by the chairman of the association or union for that purpose, or by counsel or solicitor, where allowed as hereinafter provided.

(5.)

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- (5.) Every party appearing by a representative or representatives shall be bound by his or their acts.
- (6.) The clerk, on receipt of any application for a reference to a Board, shall forthwith lay the same before the Board mentioned in such application at a meeting of such Board to be convened by him in the prescribed manner, and, subject to the provisions of this Act, shall carry out all directions of the Board in order to effect a settlement of the industrial dispute referred to.
- (7.) No counsel or solicitor shall be allowed to appear before a Board or any committee thereof unless all the parties to the reference, or interested in the matter referred to a committee, shall expressly consent thereto.

46. (1.) THE sittings of the Board shall be held at such time and place as are from time to time fixed by the chairman. Sittings of Board.

(2.) It shall be the duty of the clerk to give to each member of the Board at least forty-eight hours' previous notice of the time and place of each sitting. N.Z. Industrial, etc., Act, 1898, ss. 14, 15.

(3.) The Board may be adjourned from time to time and from place to place in manner following, that is to say:— Adjournment of Court.

(a.) By the Board or the chairman at any sitting thereof, or, if the chairman is absent from such sitting, then by any other member present, or, if no member is present, then by the clerk; and

(b.) By the chairman at any time before the time fixed for the sitting, and in such case the clerk shall notify the members of the Board and all parties concerned.

47. EVERY Board shall, in such manner as it shall think fit, carefully and expeditiously inquire into and investigate any industrial dispute of which it shall have cognisance, and all matters affecting the merits of such dispute or the right settlement thereof, and for the purposes of any such inquiry shall have all the powers of summoning witnesses, and hearing and receiving evidence, and preserving order at any inquiry which are by this Act conferred on the Court of Arbitration. Mode of inquiry by Board.
N.Z. Industrial, etc., Act, 1894, s. 43.

48. THE Board and, on being authorised in writing by the chairman, any member or officer of the Board or any other person may at any time— View by, or by direction of the Board.

- (a.) Enter any building, mine, mine-workings, ship, vessel, place, or premises of any kind whatsoever, wherein or in respect of which any industry is carried on or any work is

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is being or has been done or commenced, or any matter or thing is taking or has taken place, which has been made the subject of a reference to the Board, and inspect and view any work, material, machinery, appliances, or article therein ; and

- (b.) Interrogate any person in any such building, mine, mine-workings, ship, vessel, place, or premises as aforesaid, in respect of or in relation to any such matter or thing.

And any person who hinders or obstructs the Board, or any such member, officer, or person as aforesaid, in the exercise of any power conferred by this section, or who refuses to answer any question put to him as aforesaid, shall for every such offence be liable to a penalty not exceeding Fifty pounds.

Powers and duties of Board.

N.Z. Industrial, etc., Act, 1894, s. 44.

49. IN the course of any such inquiry and investigation, the Board shall make all such suggestions and do all such things as shall appear to them as right and proper to be made or done for securing a fair and amicable settlement of the industrial dispute between the parties, and may adjourn the proceedings for any period the Board thinks reasonable, to allow the parties to agree upon some terms of settlement ; and, if no such settlement shall be arrived at, shall resolve the question according to the merits and substantial justice of the case, and make their report or recommendation in writing under the hand of the chairman of the Board, which shall be delivered to and filed by the clerk in his own office with all papers and proceedings relating to the reference. Such report or recommendation shall be delivered as aforesaid within one month of the day on which the application was lodged with the clerk.

Reference to committee of Board or to Court.

Ibid., s. 45.

50. IN particular, but without limiting the general power given to a Board by the last preceding section, any Board may :—

- (1.) Refer the matters in dispute, upon such terms as the Board thinks fit, to a committee of their number, consisting of an equal number of representatives of employers and workers, who shall endeavour to reconcile the parties ; or,
- (2.) Refer any matter before them to be settled by the Court.

In case Board fails to effect settlement, disputes may be referred to Court.

Ibid., s. 46.

51. IF the Board shall report that they have been unable to bring about any settlement of any dispute referred to them satisfactorily to the parties thereto, the clerk, on the receipt of such report, shall transmit a copy (certified by him) of such report to each party to the industrial dispute ; whereupon any such party may, in the manner prescribed, require the clerk to refer the said dispute to the Court. The clerk shall thereupon transmit all the papers and proceedings in the reference to the Court.

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52. NOTWITHSTANDING any of the foregoing provisions, it shall be lawful for the parties to any industrial dispute to refer such dispute to the Court in the first instance; provided both parties to the dispute assent to such reference.

Disputes may be referred to Court in first instance.

(3.)—The Court of Arbitration.

53. THERE shall be one Court of Arbitration for the whole Colony for the settlement of industrial disputes pursuant to this Act. The Court shall be a Court of Record and have a seal which shall be judicially noticed, and impressions thereof shall be admitted in evidence in all Courts of Judicature and for all purposes.

Creation of Court.

Ibid., s. 47.

54. (1.) THE Court shall consist of three members, to be appointed by the Governor, one to be so appointed on the recommendation of the councils, or a majority of the councils of the industrial associations of workers in the Colony, and one to be so appointed on the recommendation of the councils, or a majority of the councils of the industrial associations of employers in the Colony: Provided that, if there shall be no industrial associations of employers or workers, then, in their stead, the recommendation shall be made by the industrial unions of employers or workers, as the case may be.

Constitution of Court.

Ibid., s. 48.

No recommendation shall be made as to the third member, who shall be a Judge of the Supreme Court, and shall be appointed from time to time by the Governor, and shall be president of the Court of Arbitration, and, in case of the illness or unavoidable absence of such president, the Governor may appoint some other Judge of the Supreme Court to be and act as president, who shall hold office only during the illness or unavoidable absence of the president.

(2.) The procedure for the purpose of giving effect to this section shall be as follows:—

Procedure to constitute Court.

(a.) Each such council respectively shall, within one month after being requested to do so by the Governor, submit the name of one person to the Governor, and from the names of the persons so recommended the Governor shall select two members, one from each set recommended, and appoint them to be members of the Court.

In the event of the majority of the councils not having made recommendation as aforesaid, or in case such majority of recommendations are not received

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received by the Governor within the period of one month after each council has been requested to submit a name as aforesaid, or in case any person so recommended declines to act as a member of the Court, the Governor shall forthwith appoint such person as he thinks fit to be a member of the Court; and such member shall be deemed to be appointed on the recommendation of the said councils, as the case may be.

(b.) For the purposes of this section, the expression "council" means the governing body of the association or industrial union entitled to vote, by whatever name such authority may be designated.

(c.) As soon as practicable after a full Court has been appointed by the Governor, the names of the members of the Court shall be notified in the *Government Gazette*.

Term of office of members.

Ibid., s. 49.

55. (1.) EVERY member of the Court shall hold office for three years from the date of his appointment, and shall be eligible for re-appointment, and any casual vacancy occurring in the membership by death, disqualification, resignation, or removal shall be supplied in the same manner by which the original appointment was made; but every person so appointed to fill a casual vacancy shall hold office only for the period for which his predecessor would have held office.

Power of removal by Governor.

(2.) If any member of the Court has been absent without sufficient cause for three consecutive sittings of the Court, the Governor may remove that member from office.

(3.) Save as aforesaid, the president and members of the Court shall hold office on the same terms as to removal as a Judge of the Supreme Court.

Provision for secrecy of evidence.

Ibid., s. 50, as amended by Act of 1898, s. 13.

56. EXCEPT the presiding Judge, every member of the Court and every officer thereof, on entering upon his duties, shall subscribe a promissory declaration that he will not disclose any evidence adduced or offered before him during his term of office to any one, except as provided by this Act; under a penalty not exceeding Five hundred pounds, to be recovered in manner prescribed by section eighty-eight.

Power to appoint and remove clerks, etc.

Ibid., s. 51.

57. THE Governor may also from time to time appoint and remove such clerks and other officers of the Court as may be necessary, who shall hold office during pleasure, and receive such salary or other remuneration as the Governor thinks fit.

58.

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58. SUBJECT to the provisions of this Act, the Court shall have jurisdiction for the settlement and determination of any industrial dispute referred to it by any Board, pursuant to sections forty-nine or fifty, or by industrial agreement, or by any party to an industrial dispute which has arisen in a district where no Board has been constituted, and for such purpose may summon any party to an industrial dispute to appear before it.

Jurisdiction of Court.
Ibid., s. 52.

59. (1.) ANY party to the dispute may at any time take out a summons, in the prescribed form, returnable before the president of the Court sitting in chambers.

Summons for directions.

At the hearing of the summons the president may make such order as may be just with respect to all the interlocutory proceedings to be taken before the hearing by the Court of the dispute, and as to the costs thereof, and with respect to the issues to be submitted to the Court, the persons to be served with notice of the proceedings of the Court, particulars of the claims of the parties, admissions, discovery, interrogatories, inspection of documents, inspection of real or personal property, commissions, examination of witnesses, and the place and mode of hearing. The Court may, at the hearing of any dispute, revoke or amend any such order of the president, and may make any order which the president may make under this section.

(2.) In addition to the powers conferred by this section, the president of the Court sitting in chambers for the purpose of administering this Act shall have all the powers of a Judge of the Supreme Court sitting in chambers for the purpose of any matter before that Court.

Additional powers.

60. EVERY party to the dispute may appear personally or by agent, or by counsel or solicitor, and may produce before the Court such witnesses, books, and documents as such party may think proper; and the Court shall have power to permit any other party who has or may appear to have a common interest in the matter, and be willing to be joined in the proceedings, to be so joined on such terms as it thinks fit.

Appearance of parties.
Ibid., s. 53.

The Court shall have full and exclusive jurisdiction to hear and receive evidence, on oath or otherwise, as may be allowed by law, and to hear and determine the matters in dispute in such manner as it thinks fit, and shall be at liberty to receive any such evidence as it may think fit, whether it be strictly legal evidence or not, with full power to adjourn the consideration of any matter, wholly or in part, for any period, or without stating any period.

Formal matters which have been proved or admitted before a Board need not be again proved or admitted before the Court.

61.

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Sittings of Court.

61. (1.) THE sittings of the Court shall be held at such time and place as are from time to time fixed by the president.

N.Z. Industrial, etc.,
Act, 1898, s. 14.

(2.) The sittings may be fixed either for a particular case or generally for all cases then before the Court and ripe for hearing, and it shall be the duty of the clerk to give to each member of the Court at least forty-eight hours' previous notice of the time and place of each sitting.

Adjournment of
Court.

(3.) The Court may be adjourned from time to time and from place to place in manner following, that is to say:—

(a.) By the Court or the president at any sitting thereof, or, if the president is absent from such sitting, then by any other member present, or if no member is present, then by the clerk; and

(b.) By the president at any time before the time fixed for the sitting, and in such case the clerk shall notify the members of the Court and all parties concerned.

Parties before Court
to be those before
Board.N.Z. Industrial, etc.,
Act, 1894, s. 55.

62. THE parties to the proceedings before the Court shall be those before the Board, and the provisions hereinbefore contained, as to the appearance of parties before a Board, shall apply to proceedings before the Court.

Joinder of other
parties.N.Z. Industrial, etc.,
Act, 1896, s. 4.

Provided that any employer, association, or industrial union may on application, if the Court think it equitable, be joined as party to the proceedings at any stage thereof, and on such terms as the Court thinks equitable.

Notice of sittings.

N.Z. Industrial, etc.,
Act, 1894, s. 55.

At least three days' notice shall be given to each party to the proceedings of the time and place appointed for the meeting of the Court, except where a party is joined on his own application or with his own consent.

Summons to witness.

N.Z. Industrial, etc.,
Act, 1894, s. 56.

63. THE clerk shall, at the request of any party, issue a summons in the prescribed manner to any person to appear and give evidence in any matter before the Court, and to produce any books, deeds, papers, or writings relating to such matter in his possession or under his control. Such books, deeds, papers, or writings may be inspected by the members of the Court for the purposes of this Act; but the information obtained therefrom shall not in any form be made public. And every person upon whom such summons has been served, and to whom at the same time payment or a tender of his travelling expenses on the scale hereinafter mentioned has been made, and who neglects or refuses, without sufficient cause, to appear or to produce any books, deeds, papers, or writings required by such
summons

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summons to be produced, shall be liable to a fine not exceeding Twenty pounds, or, in default of payment, to be imprisoned for not more than one month; but the payment of such fine or the undergoing of such imprisonment shall not exempt any person from liability to an action for disobeying such summons.

64. WHERE it is shown to the satisfaction of the Court that certain parts of books or documents to be adduced in evidence do not relate to the matter before the Court, the party producing the same shall be allowed to seal up such parts.

Parts of books, etc., irrelevant to case may be sealed up.

Ibid., s. 57.

65. EVERY person who is summoned and appears as a witness shall be entitled to an allowance or compensation for expenses and loss of time, according to the scale for the time being in force in the Local Courts.

Allowances to witnesses.

Ibid., s. 58.

66. EVERY member of the Court and the clerk shall have power to administer oaths to and take the affirmations of all witnesses who testify orally or by affidavit in matters before the Court, and all wilful false swearing or false affirmation in any proceeding before the Court under this Act shall be deemed to be wilful and corrupt perjury, and indictable and punishable as such; and on any indictment or information it shall be sufficient to prove that the oath or affirmation was administered by such member or clerk as aforesaid.

Power to administer oaths.

Ibid., s. 59.

67. THE Court, and on being authorised by the Court, any member or officer thereof, or any other person may at any time exercise the powers to view and interrogate given by section forty-eight, and any person who hinders or obstructs the Court or any such member, officer, or person, as aforesaid, in the exercise of any powers conferred by this section, or who refuses to answer any question put to him under such power, shall for every such offence be liable to a penalty not exceeding Fifty pounds.

View by, or by the direction of the Court.

68. THE Court may refer to an expert the taking of accounts, estimates of quantities, calculations of strains, and other technical matters, and to accept the report of such experts as evidence.

The Court may refer accounts, etc., to an expert.

69. WHENEVER the Court deems it necessary for the purpose of just and equitable decision to examine a witness who is going out of the Colony, or who from age, illness, or infirmity, or some other cause, is likely to be unable to attend the Court, or to examine a witness who is already out of the Colony, the Court shall have the powers of the Supreme Court in that behalf, and may adopt, *mutatis mutandis*, the procedure followed and the forms used by that Court for the like purposes respectively.

Provision for obtaining evidence at a distance.

(New) *see ibid.*, s. 60.

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Majority of Court to
decide matters
referred.
Ibid., s. 61.

70. THE Court may sit and conduct its proceedings in open Court, and a majority of the members present may decide and finally determine any matters referred to them. The decision of the president shall prevail in case of difference of opinion of the other members of the Court.

Failure of member to
attend Court.
Ibid., s. 62.

71. IF a member, other than the president, fails to attend a sitting of the Court without good cause shown to the satisfaction of the president, the other members present and the president may nevertheless act as fully as if all the members were present.

Contempt of Court.
Ibid., s. 64.

72. IF any person wilfully insults the Court or any member thereof during the sitting of the Court, or wilfully interrupts the proceedings of the Court, or is guilty in any other manner of any wilful contempt in the face of the Court, any officer of the Court, with or without the assistance of any other person, may take such offender into custody and remove him from the Court, to be detained in custody until the rising of the Court, and the person so offending shall be liable to a fine not exceeding Ten pounds for such offence, to be recovered in a summary way as hereinafter provided.

On failure of party to
attend, Court may
proceed *ex parte*.
Ibid., s. 65.

73. IF any party to a proceeding before the Court fails, after receiving notice to attend or be represented before the Court without good cause shown to the Court, the Court may proceed and act as fully in the matter before it as if such party had duly attended or been represented. Any person who is a party to any such proceedings may be required to give evidence before the Court by the means hereinbefore provided with respect to a witness.

Power to refer
matters to a Board
for investigation.
Ibid., s. 66.

74. THE Court may from time to time refer any matters before it to a Board for investigation and report, if the Court thinks that the Board will arrive more easily at a settlement thereof, and the award of the Court shall be based on the report of such Board.

Dismissal of
frivolous claims.
Ibid., s. 67.

75. THE Court may at any time dismiss any matter referred to it which it thinks frivolous or trivial, and the award in such case may be limited to an order upon the party bringing the matter before the Court for payment of costs.

Award how made
and dealt with.
Ibid., s. 68.

76. THE award shall be made within one month after the Court has begun to sit for the hearing of any reference, and shall be signed by the president of the Court, and shall have the seal of the Court attached thereto, and shall be deposited in the office of the clerk

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clerk of the district wherein the reference arose, and shall be open during office hours to inspection, without charge, by all persons interested therein.

77. THE Court, by its award, may order any party to pay to any other party costs and expenses (including the expenses of witnesses), and may apportion such costs between the parties or any of them, as it thinks fit, and may at any time vary or alter any such order in such manner as appears to the Court reasonable; and such costs, or any other costs ordered by the Court to be paid, may be recovered in any Court of competent jurisdiction as a debt due to the party entitled thereto from the party liable therefor; but no costs shall in any case be allowed on account of any agent, solicitor, or counsel appearing for any party.

Court may award costs and apportion them.

Ibid., s. 69, as amended by Act of 1898, s. 7.

The Court shall state in its award or order, the amount of costs or expenses so ordered to be paid, and may either itself ascertain the amount thereof, or may require the amount to be ascertained by taxation, by the taxing officer of the Supreme Court, before being inserted in the award, and such officer shall have, in relation to such taxation all such duty and authority as he would have in regard to taxation of costs in a case within the ordinary jurisdiction of the Supreme Court.

78. THE award shall be framed in such manner as shall best express the decision of the Court, avoiding all technicality where possible, but shall state in clear terms what is or is not to be done or performed by each party or person affected by the decision, and may provide for an alternative course to be taken by any party to the proceedings, or by any person affected thereby; but no award shall be void or vitiated in any way because of any informality or want of form.

Award not to be framed in technical manner.

Ibid., s. 70.

79. THE Court shall have power, by order, at any time during the currency of the award, to amend the provisions of the award for the purpose of remedying any defect therein or of giving fuller effect thereto.

Court may amend award.

80. THE Court shall have power to grant injunctions and prohibitions and issue writs of mandamus and provide all ancillary remedies, and generally to exercise the powers of the Supreme Court in the administration of this Act.

The Court may grant injunctions, etc.

81. IN all legal and other proceedings it shall be sufficient to produce the award with the seal of the Court thereto, and it shall not be necessary to prove any conditions precedent entitling the Court to make such award.

Award under seal to be evidence.

Ibid., s. 71.

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Proceedings shall not be impeached for want of form.

Ibid., s. 72.

82. PROCEEDINGS in the Court shall not be impeached or held bad for want of form, nor shall the same be removable to any Court by *certiorari* or otherwise; and no award or proceeding of the Court shall be liable to be challenged, appealed against, reviewed, quashed, or called in question by any Court of Judicature on any account whatsoever.

Court to fix what shall constitute breach of award and penalty therefor.

N.Z. Industrial, etc., Act, 1898, s. 3.
Ibid. s. 85 (4).

83. THE Court, in its award, or by order made on the application of any of the parties at any time during the currency of the award, may fix and determine what shall constitute a breach of the award and what sum, not exceeding Five hundred pounds, shall be the maximum penalty payable by any party or person in respect of any breach: Provided, however, that the aggregate amount of penalties and costs payable under any award or order shall not exceed Five hundred pounds.

Age for apprenticeship not to be fixed.
Ibid., s. 4.

84. THE Court shall not, by any award, fix any age for the commencement or termination of apprenticeship.

Minimum rate of wages.
Ibid., s. 6.

85. THE Court, in its award, or by order made on the application of any of the parties at any time during the currency of the award, may prescribe a minimum rate of wages or other remuneration, with special provision for a lower rate being fixed in the case of any worker who is unable to earn the prescribed minimum.

Provided that such lower rate shall in every case be fixed by the Court in such manner and subject to such provisions as are specified in that behalf in the award or order.

Proceedings not to abate by reason of death, etc.

N.Z. Industrial, etc., Act, 1894, s. 73.

86. NO proceedings in the Court shall abate by reason of the death of any member of the Court or of any party to such proceedings, but the same may be continued and disposed of by the successor in office of such member, and the legal personal representative of the party so dying shall become party to the reference and award.

(4.)—*Enforcement of Awards.*

What award shall contain.

Period for which it is to be in force, etc.
Ibid., s. 74.

87. EVERY award of the Court shall specify each industrial union, association, person, or persons on which or on whom it is intended that it shall be binding, and the period, not exceeding two years from the making thereof, during which its provisions may be enforced; and during the period within which the provisions of such award may be enforced, such award shall be binding upon every industrial union, association, or person upon which it shall be thereby declared that such award shall be binding: Provided that, if the members

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members of any industrial union are mentioned generally in any such award, all persons who are members at the date thereof, or may thereafter become so during its subsistence, shall be deemed to be included in the direction given or made by the award.

88. FOR the purpose of enforcing any award or order of the Court, the following provisions shall apply :—

Provisions for
enforcing awards.

N.Z. Industrial, etc.,
Act, 1898, s. 8.

- (1.) In so far as the award itself directs the payment of money, it shall be deemed to be an order of the Court, and payment shall be enforceable accordingly under the subsequent provisions of this section relating to orders of the Court.
- (2.) If any party or person on whom the award is binding commits any breach thereof by act or default, then, subject to the provisions of the last preceding subsection hereof, any party to the award may by application in the prescribed form (if any) apply to the Court for the enforcement of the award.
- (3.) On the hearing of such application the Court may by order either dismiss the application or impose such penalty for the breach of the award as it deems just, and, in either case, with or without costs.
- (4.) If the order imposes a penalty or costs, it shall specify the parties or persons liable to pay the same, and the parties or persons to whom the same are payable:

Provided that the amount payable by any party or person shall not exceed Five hundred pounds :

Provided, also, that the aggregate amount of penalties and costs payable under any award or order shall not exceed Five hundred pounds.

- (5.) For the purpose of enforcing payment of the amount payable under any order of the Court, not being an order under the enactment hereinafter contained for dealing with offences against this Act, a certificate in the prescribed form, under the hand of the clerk and the seal of the Court, specifying the amount payable and the respective parties or persons by and to whom the same is payable, may be filed in any Court having jurisdiction to the extent of such amount, and shall thereupon, according to its tenor, operate and be enforceable in all respects as a judgment of such last mentioned Court in its civil jurisdiction.

Provided that, for the purpose of enforcing satisfaction of such judgment where there are two or more judgment creditors thereunder, process may be issued separately by each

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each judgment creditor against the property of his judgment debtor, in like manner as in the case of a separate and distinct judgment.

- (6.) All property belonging to the judgment debtor (including therein, in the case of an industrial union, all property held by trustees for the judgment debtor) shall be available in or towards satisfaction of the judgment debt, and, if the judgment debtor is an industrial union, and its property is insufficient to satisfy the judgment debt, the members shall be liable for the deficiency:

Provided that no member shall be liable for more than Ten pounds under this sub-section.

- (7.) For the purpose of giving full effect to the last preceding sub-section, the Court or the president may, on the application of the judgment creditor, make such order or give such directions as are deemed necessary, and the trustees, the judgment debtor, and all other persons concerned shall obey the same.

Jurisdiction of Court
to deal with offences.
Ibid., s. 10.

89. THE Court shall have full and exclusive jurisdiction to deal with all offences against this Act, and, for the purpose of this section, the following provisions shall apply:—

- (1.) Proceedings to recover the penalty imposed in respect of any offence shall be taken in the Court in a summary way under the procedure provided by the Act of the fourteenth year of Her now Majesty numbered five, and those provisions shall, *mutatis mutandis*, apply in like manner as if the Court were a Court of summary jurisdiction:

Contempt of Court
(see sec. 70) may be
dealt with without
summons, etc.

Provided that in the case of an offence of contempt of Court, the Court, if it thinks fit so to do, may deal with it without an information being taken or a summons issued.

- (2.) For the purpose of enforcing any order of the Court made under this section (except so far as enforced by the Court itself in cases of contempt of Court) a duplicate of such order shall be filed by the clerk in the office of the nearest Resident or Police Magistrate, and shall thereupon, according to its tenor, operate and be enforced in all respects as a final decision, conviction, or order duly made by such Magistrate under the said Act of the fourteenth year of Her present Majesty.
- (3.) All penalties recovered under this section shall be paid into the Colonial Treasury to the credit of the Consolidated Revenue Fund.

(4.)

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- (4.) Nothing in this section shall apply to the breach of any award or to any order of the Court, save as in this section mentioned, or to the penalty in respect of any such breach.
- (5.) Every penalty imposed under this Act for non-compliance with any decision of the Board or Court may be recovered on any application to a Judge of the Supreme Court, and when so recovered shall be paid into the funds of unions of employers or employees, as the case may be.

90. IN order to enable the Court more effectually to dispose of any matter before it according to the substantial merits and equities of the case, it may, at any stage of the proceedings, of its own motion or on the application of any of the parties, and upon such terms as it thinks fit, by order—

Further powers of Court as to matters before it.

Ibid., s. 11.

- (1.) Direct parties to be joined or struck out ;
- (2.) Amend or waive any defect or error in the proceedings ;
- (3.) Extend the time within which anything is to be done by any party ; and
- (4.) Generally give such directions as are deemed necessary and expedient in the premises.

91. THE powers by the last preceding section conferred upon the Court may, when the Court is not sitting, be exercised by the president.

Exercise of certain powers when Court not sitting.

Ibid., s. 12.

(5.)—*Supplemental.*

92. (1.) WHENEVER an industrial dispute involving technical questions is referred to a Board or the Court for settlement, two experts may be nominated, one by each party to the dispute ; and such experts shall sit as assessors with and be deemed to be members of the Board or Court for the purposes of such dispute.

Experts to assist Board in technical cases.

N.Z. Industrial, etc., Act, 1895, s. 4.

(2.) If there are more than two parties to any such dispute, one assessor shall be nominated by the parties whose interests are with the employers, and the other by the parties whose interests are with the workers.

(3.) The assessors shall be nominated in the prescribed manner and subject to the prescribed conditions.

93. THE Board, or the Court, at any stage of the proceedings before it, and either of its own motion or at the request of any of the parties, may direct that the proceedings be conducted in private, and in such case all persons other than the parties, their representatives, and any witnesses under examination, shall withdraw.

Proceedings may be in private.

N.Z. Industrial, etc., Act, 1895, s. 16.

94.

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Provision where
dispute relates to
employment or
wages.

Ibid., s. 5.

94. WHERE an industrial dispute relates to employment or wages, the jurisdiction of the Board or Court to deal therewith shall not be voided or affected by the fact that the relationship of employer and employed has ceased to exist, unless it so ceased at least six weeks before the industrial dispute was first referred under this Act, whether such reference was to the Board or to the Court.

The Commissioner of
Railways may refer
disputes between him
and the Railway
Servants' Associa-
tions to Court.

95. THE management of Government Railways shall be deemed to be an industry within the meaning of this Act. The Commissioner of Railways may make an industrial agreement with any association or society of Railway servants to be registered under this Act, and either the said Commissioner or the association or society may refer any industrial dispute between them to the Court established under this Act; and the Commissioner may give effect to any terms of an award made by such Court.

Association or society
may be registered
under this Act.

Any association or society of Railway Servants may be registered as an industrial union under this Act; and the Commissioner shall be deemed to be an employer within the meaning and for the purposes of this Act.

The foregoing provisions shall apply to any reconstruction of such association or society in case of its dissolution, and shall extend to any similar association or society taking the place of such first-mentioned association or society, and registered under this Act.

If Commissioner
refuse to agree to
reference, associa-
tion or society may
petition Court.

Power of Court to
compel a reference.

96. IN case the Commissioner shall neglect or refuse to agree with the said association or society to refer any industrial dispute to the Court, the association or society may, by petition lodged with the clerk, refer such dispute to the Court to hear and determine the same; and the Court upon such petition, and if it shall consider the dispute sufficiently grave to require it, may require the Commissioner to appear before the Court, and to submit the matters in dispute to its decision, and for that purpose the Court shall have all such jurisdiction and authority, and may do all such acts and things as may be necessary for such purpose, in accordance with the preceding provisions of this Act.

Commissioner of
Railways may be
represented by officer
of his Department.

97. IN any proceedings before the Court, the Commissioner of Railways may be represented by any officer of the department whom he appoints on his behalf.

Expenses.

98. ALL expenses incurred and moneys payable by the Commissioner of Railways in any proceedings under this Act shall be payable out of moneys to be appropriated by Parliament for the purpose.

Board not to have
any jurisdiction in
such cases.

99. NOTWITHSTANDING anything in this Act contained, no Board constituted under this Act shall have any jurisdiction in
any

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any matter of dispute between the Commissioner and the said association or society.

PART IV.—MISCELLANEOUS.

100. ANY notification made or purporting to be made in the *Government Gazette* by or under the authority of this Act may be given in evidence in all Courts of Justice, in all legal proceedings, and for any of the purposes of this Act, by the production of a copy of the *Government Gazette*, printed by the Government Printer for the time being.

Notifications in
Government Gazette
to be evidence.

N.Z. Industrial, etc.,
Act, 1894., s. 85.

101. EVERY instrument, or document, copy or extract of an instrument or document, bearing the seal of the Court, shall be received in evidence without further proof, and the signature of the president of the Court, or the chairman of any Board, or of the registrar, or of the clerk of awards, shall be judicially noticed in or before any Court or person or officer acting judicially or under any power or authority contained in this Act: Provided such signature be attached to some award, order, certificate, or other official document made or purporting to be made under this Act.

Documents under
seal of Court, or
signed by president
or chairman, to be
judicially noticed,
etc.

Ibid., s. 86.

No proof shall be required of the handwriting or official position of any person acting in pursuance of this section.

102. THE Governor from time to time may make, alter, or revoke such regulations not inconsistent with this Act as may be necessary or desirable to carry out all or any of the following purposes:—

Power to Governor
to make regulations
for purposes of Act.

Ibid., s. 87.

- (1.) Prescribing the forms of certificates or other instruments to be issued by the registrar, and of any certificate or other proceeding of any Board, or any officer thereof;
- (2.) Prescribing the duties of clerks of awards and of all other officers and persons acting in the execution of this Act;
- (3.) Providing for anything necessary to carry out the first or any subsequent election of members of Boards, or on any vacancy therein, or in the office of Chairman of any Board, including the forms of any notice, proceeding, or instrument of any kind to be used in or in respect of any such election;
- (4.) Providing for the mode in which recommendations of members of the Court shall be made and authenticated;
- (5.) Prescribing any act or thing necessary to supplement or render more effectual the provisions of this Act as to the conduct of proceedings before a Board or the Court, or the

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the transfer of such proceedings from one of such bodies to the other ;

- (6.) Providing generally for any other matter or thing necessary to give effect to this Act, or to meet any particular case ;
- (7.) Prescribing what fees shall be paid in respect of any proceedings before a Board, or in the Court, and the party by whom such fees shall be paid ; and what fees shall be paid to the chairman and members of a Board and to the members of the Court, other than the President ;
- (8.) For any other purpose for which it is by this Act provided regulations may be prescribed.

Saving of fees payable in Supreme Court.

Nothing in any such regulations shall supersede any fees for the time being in force in the Supreme Court, or any other Court, in relation to any proceedings therein, otherwise than is herein expressly provided.

Expenses of Act (except in certain cases) to be paid out of moneys appropriated by Parliament.

Ibid., s. 88.

103. ALL charges and expenses connected with the administration of this Act, exclusive of expenses incurred by industrial unions, or associations, under Parts I. or II. of this Act, or of the parties and witnesses concerned in any industrial dispute referred to a Board or the Court, shall be defrayed out of such annual appropriations as shall from time to time be made for that purpose by Parliament.

Stamp duty not payable in certain cases.

Ibid., s. 89.

104. NO stamp duty shall be payable upon or in respect of any registration, certificate, agreement, award, or instrument effected, issued, or made under this Act. But nothing herein shall apply to the fees of any Court payable by means of stamps.

Act not to apply to Crown or Government departments except as expressly provided.

Ibid., s. 90.

105. SAVE as aforesaid, nothing in this Act shall apply to Her Majesty the Queen or any department of Her Government in Western Australia.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXI.

64 Vict., 1900.

113

Page 459.

64 Vict., No. 21.—Repealed by No. 41 of 1904.

Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Public Service Act, 1900.

Short title.

2. THIS Act shall commence on a day to be fixed by proclamation, except as to the powers of making regulations, which shall commence immediately this Act is assented to.

Commencement of Act.

3. THIS Act shall be divided into six parts, namely—

Parts of Act.

PART I.—PRELIMINARY:

PART II.—THE PUBLIC SERVICE:

PART III.—APPOINTMENT OF PUBLIC SERVANTS:

PART IV.—DUTIES AND PRIVILEGES OF PUBLIC SERVANTS:

PART V.—REMOVALS OF PUBLIC SERVANTS:

PART VI.—MISCELLANEOUS.

PART

PART I.—PRELIMINARY.

Interpretation.

4. IN this Act, except where some other meaning is clearly intended—

“Public Service” means the Public Service of Western Australia as defined by section seven:

“Minister” means the Minister of the Crown controlling the Department:

“Head of Department” means the public servant under the Minister in chief control of the Department:

“Department” means a department of the Public Service constituted pursuant to this Act:

“Division” means a division of the Public Service similarly constituted:

“Gazetted” means published in the *Government Gazette*:

“Regulations” means Public Service regulations:

“Prescribed” means prescribed by this Act or regulations.

Exemptions

5. NOTHING in this Act shall apply to—

(a.) The Governor:

(b.) Ministers of the Crown:

(c.) Judges of the Supreme Court:

(d.) The Agent General:

(e.) The Auditor General:

(f.) The Chief Clerk of the Legislative Council and of the Legislative Assembly respectively:

(g.) Honorary Officers:

(h.) Members of the Naval and Military Forces other than the Permanent Staff:

(i.) Government School Teachers:

(j.) Railway Servants whose appointment is in the power of the Commissioner of Railways under authority delegated to him by the Governor:

(k.) Members of the Police Force, except the Commissioner and Inspectors of Police:

(l.) Any other class of officers excepted by the Governor.

Not to operate as appropriation of revenue.

6. NOTHING in this Act shall operate as an appropriation of revenue.

PART

Public Service.

PART II.—THE PUBLIC SERVICE.

7. THE Public Service includes all persons employed in the Public Service of Her Majesty, with the exception of persons employed at a daily or weekly rate of wages, or whose appointment is expressed to be temporary, or who, not being in the Professional or Clerical Division, are not continuously employed for at least one year.

Public Service.

8. THE Public Service consists of—

Public Service.

(a.) Divisions :

(b.) Departments.

9. THE divisions of the Service are three, as follows:—

Divisions of Public Service.

(1.) The Professional Division, including all public servants whose duties require special skill or technical knowledge :

(2.) The Clerical Division, including all public servants whose duties chiefly require clerical skill :

(3.) The Non-Clerical Division, including all other public servants.

10. A DEPARTMENT is constituted of each branch of the Service, being the office of a Minister or communicating directly therewith.

Departments.

11. THE Governor shall decide the constitution of all divisions and departments.

Governor to decide divisions and departments.

12. THE Governor may transfer any department to or from the control of any Minister.

Transfer of Departments.

13. THE Governor shall, according to the work of each department, annually determine—

Work determined.

(a.) The number of public servants required for the efficient working of each department ; and

(b.) The work to be done and the pay to be received by each.

14. NO public servant whose pay is once determined by the Governor and approved by Parliament shall afterwards, whilst doing the same work, suffer any loss or reduction of pay, except as follows:—

Security of official status.

(a.) On abolition of office ; or

(b.) On removal ; or

(c.) By reduction by Parliamentary vote of the amount proposed on the annual Estimates ; or

(d.)

Public Service.

(d.) On reduction affecting generally the Public Service recommended by the Governor and accepted by Parliament.

Transfer from one office to another.

15. PUBLIC servants may be transferred from one office to another; and in case of abolition of any office the Governor, in lieu of dispensing altogether with the services of the last holder, may appoint him to some other office.

Departmental confidential reports.

16. EVERY head of a department shall furnish to the Minister once in each year, and at such other times as the Minister may direct, confidential reports upon the conduct and efficiency of every public servant employed in his department.

PART III.—APPOINTMENT OF PUBLIC SERVANTS.

Appointments.

17. ALL appointments to the Public Service shall be made by the Governor, or by the Minister under authority delegated to him by the Governor.

Appointment to vacancies.

18. VACANCIES in the Public Service shall, so far as practicable, be filled by the appointment of some public servant in the division and department in which the vacancy occurs.

Appointments to vacancies.

19. IF some public servant in another division or department has a greater claim to be appointed to the vacant office, he may be appointed to such office.

In comparing claims, regard shall be had to the relative seniority of the applicants and their qualifications for the vacancy.

If there is no qualified public servant willing to fill the vacancy, some person not in the Public Service may be appointed.

Age of appointment.

20. NO person shall be eligible for appointment to other than the Non-Clerical Division unless he shall have attained the age of sixteen years, nor unless he shall have passed the prescribed examinations.

PART IV.—DUTIES AND PRIVILEGES OF PUBLIC SERVANTS.

Duties.

21. EVERY public servant shall faithfully, capably, and diligently discharge his duties, and shall observe the Public Service Regulations.

Fees or remuneration not to be received.

22. NO fee, reward, or remuneration of any kind whatsoever, beyond his official emoluments, shall be received for his private use by any public servant for any service rendered in the course of or in connection with his employment, nor shall any public servant accept any

Public Service.

any paid employment from any employer other than the Government, without the consent in writing of the Minister controlling his department.

23. NO address or testimonial shall be accepted by any public servant, in respect of his official duties, without the sanction in writing of the Minister of his department. Addresses and testimonials.

24. NO official information out of the strict course of official duty shall be given, directly or indirectly, by any public servant, without the express direction or permission of a Minister. Information not to be given.

25. NO public servant shall make any communication, directly or indirectly, to the press upon any matter affecting the department in which he serves, or the business or the officers thereof, or relating to the Public Service, or his own official position or acts, or upon any political subject or question connected with Western Australia, without the express permission or authority of a Minister. Communications not to be made to the Public Press.

26. PUBLIC servants are expressly forbidden from taking part in any political affairs, otherwise than by the exercise of the franchise. Any public servant who uses for political purposes information gained by him in the course of duty shall be summarily dismissed. Political affairs.

27. NO payment for overtime shall be allowed to public servants in receipt of annual pay, except by the special approval of the Governor ; and in such cases where overtime is given and not paid for, such overtime shall be duly recorded. No overtime in certain case.

28. PUBLIC servants shall be entitled to annual leave of absence as under:— Leave of absence.
Annual leave.

- (a.) For recreation for two weeks on full pay:
- (b.) The time for taking annual leave shall in each case be approved by the Minister, and the Minister may, for sickness or special necessity, grant extended leave, not exceeding two months, on any terms thought fit:
- (c.) With the written consent of the Minister, ~~in each year~~ annual leave for recreation may, when the convenience of the department is served thereby, be allowed to accumulate for not exceeding six weeks altogether.

Ref. at 1 **29.** PUBLIC servants shall be entitled to long service leave as under:— Long service leave.

- (a.) For six years' continuous service, except during annual leave of absence, three months on full pay and three months on half pay:

(b.)

Public Service.

- (b.) The time for taking long service leave shall, in each case, be approved by the Governor, and the Governor may, for sickness or special necessity, grant extended long service leave on such terms as may be thought fit.

Holidays.

30. THE following days shall be Public Service Holidays throughout the Service :—

- (a.) New Year's Day.
Good Friday.
Easter Eve.
Easter Monday.
Christmas Day.
The 26th day of December.
- (b.) The Birthday of the Sovereign.
Coronation Day.
The Prince of Wales' Birthday.
The Anniversary of the Foundation of the Colony (1st day of June).
The Anniversary of the Settlement of Australia (26th day of January).
Proclamation Day (21st day of October).
- (c.) Also all days which the Governor may appoint, and which shall be gazetted as Public Holidays.

Whenever any of the holidays mentioned in sub-section (b) fall upon a day other than a Monday, the following Monday shall be a holiday instead of such day.

Attendance on Public Holiday.

31. THE services of any public servants may be required by the Minister on any Public Service holiday, but in such case such public servants shall be allowed another holiday in lieu thereof.

Absent officers' duties, how performed.

32. THE duties of any absent public servant shall be performed without additional pay by the other public servants of the department, or, should this be impracticable, then in such manner as the Minister may direct.

PART V.—REMOVALS OF PUBLIC SERVANTS.**Charges against officers.**

33. WHEN any public servant is reported as guilty of—

- (a.) Conduct rendering him unfit to remain in the Service ; or
(b.) Breach or non-observance of this Act or any regulation ; or
(c.) Want of fidelity, capacity, or diligence in the discharge of his duties :

he may be suspended by the Minister, and shall thereupon be furnished with a written copy of the charge.

34.

Public Service.

34. IF any suspended public servant shall deny the truth of such charge, and demand, in writing, an inquiry, the Governor shall appoint a board to inquire as to the truth of such charge, and such board shall have authority to hear, receive, and examine evidence, and shall, after fully hearing the case, report to the Governor thereon. There may be paid to any member of the board, in addition to all expenses necessarily incurred, such reasonable remuneration as the Governor approves.

Public servant may demand inquiry.

2 Ex. 111 **35.** AFTER the receipt of the report, or if the suspended public servant shall not have demanded an inquiry, then at any time the Governor may—

Proceedings by the Governor.

- (a.) Cancel the suspension and restore the public servant to his office; or
- (b.) Remove him from the service; or
- (c.) Reduce him to a lower position or pay; or
- (d.) Deprive him, for such time as may be thought fit, of any of the privileges of a public servant.

36. UNLESS it shall be otherwise specially ordered by the Governor—

Payment of salaries after suspension.

- 2 Ex. 111 7/16*
- (a.) If any public servant be suspended pending any inquiry into any charge against him, and he be afterwards removed from the service, he shall receive no pay from the date of his suspension:
 - (b.) If he be reduced, the reduced rate of pay shall take effect from the date of his suspension:
 - (c.) If he be restored, he shall receive arrears of pay in full from the date of his suspension.

37. IF any public servant be convicted of felony, or of misdemeanour punishable by statute by imprisonment for twelve months or more, or be adjudicated bankrupt or insolvent, or take the benefit of any law for the relief of insolvent debtors, he shall forfeit his office.

Forfeiture of office in certain cases.

38. WHEN any such public servant has forfeited his office by reason of pecuniary embarrassment, if he prove to the satisfaction of the Governor that such embarrassment has not been caused or attended by any fraud or dishonourable conduct on his part, the Governor may restore him to his former position.

Insolvent officer may be reinstated in the absence of fraud.

39. THE Governor may require any public servant who has attained the age of sixty years, or who has become incapacitated for the efficient performance of his duties, to resign his office, and in event of non-compliance may remove him.

Incapacitated officers.

Public Service.

Permanent officers.

2. 8. 11 16. 16

40. ALL officers who have been continuously employed for a period of two years, and whose services it is not intended to dispense with at an early date, shall, for all the purposes of this Act, be treated as permanent officers.

PART VI.—MISCELLANEOUS.

Regulations.

41. PUBLIC Service regulations may be made by the Governor—

- I. For prescribing the examinations to be passed by persons desiring to enter the Public Service:
- II. For the definition of the duties of public servants and securing the discharge of such duties, and the observance of proper discipline and the hours of attendance:
- III. For prescribing the allowances to public servants travelling on duty:
- IV. For giving effect to any provision or purpose of this Act:
- V. For the classification of the Public Service.

Regulations to be laid before Parliament.

42. NO Public Service regulation made by the Governor shall be of any force until gazetted, and all such regulations shall be laid before both Houses of Parliament, within fourteen days after the making thereof if Parliament be then sitting, or if not, then within fourteen days after the commencement of the next Session of Parliament.

Notices to be gazetted.

43. ALL notices of appointments, retirements, removals, and dismissals shall be gazetted, and the *Gazette* notice shall be deemed and taken to be conclusive evidence of every such appointment, retirement, removal, or dismissal, and of the validity thereof.

Public servants entitled to copy of Act and Regulations.

44. EVERY public servant shall be entitled, free of charge, to one copy of this Act and of all regulations affecting his department; and also to a copy of the report of any Board which has investigated any charge made against him.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXII.

AN ACT to provide for the Drainage of
Land.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Land Drainage Act, 1900. Short title.

2. IN this Act, unless the context

“Board” means a Drainage Board
under this Act;

64 Vict., No. 22.—Repealed by No. 43 of 1925

“District” or “Drainage District” means a District constituted under this Act;

“Drain” includes every passage or channel on, above, or under ground, through which water flows, except a navigable river, and except a main or branch water-race made for the supply of any reservoir, dam, or pit for the conservation of water;

“Main

Land Drainage.

"Main drain" means such drain as the Minister shall from time to time so designate.

"Drainage works" means drainage works of any sort, including the making of drains for receiving water in its natural flow on or from any hills or sloping lands, and diverting the same to prevent its overflow on to any other lands on a lower level, as well as drains for carrying off water from any lands;

"Minister" means the responsible Minister of the Crown charged with the administration of this Act;

"Owner" (except as concerns rating and voting) means any person seized, possessed of, or entitled to land, or to any estate or interest therein other than as occupier, whether such person has or has not the power to convey or sell the same;

"Ratable property" shall mean all buildings, lands, tenements, and hereditaments in the district, except the following, namely: All such property situate within the limits of a municipality, or in any town where there exists a town ~~of the Crown in the possession of the~~

Page 468.

64 VICT., No. 22.—Section 2 amended by 1 & 2 Edwd. VII., No. 8:

In section 2 the definition of "Roads Acts," "ratable property," and "ratable value" are repealed, and the following substituted therefor:—

"Roads Acts" means the Roads Act, 1888, and all amendments thereof.

"Ratable property" means all property within a drainage district which would be ratable if situated within a road district.

"Ratable value" means ratable value of all ratable property, ascertained in the same manner as if the property were within a road district.

"Watercourse" includes all rivers, streams, and passages through which water flows.

Act not to affect powers of Crown or of certain officers. See Land Drainage Act, 1860, s. 46, s.

3. NOTHING in this Act shall prejudice or affect any power or authority vested in Her Majesty, or in the Governor, or in the Director of Public Works or Commissioner of Railways, and no ~~action shall be brought against the Crown for anything done on the~~

Page 468.

64 VICT., No. 22.—Section 3 amended by 1 & 2 Edwd. VII., No. 8: In section 3, after the word "Railways," in the third line, add the words "or the Minister."

*Land Drainage.**Drainage Districts and Drainage Boards.*

A THE GOVERNOR OF THE COLONY OF SOUTH AUSTRALIA

s.

20

64 VICT.

Page 469.

64 VICT., No. 22.—Section 4 amended by 1 & 2 Edwd. VII., No. 8:

In section 4 the words “in any part of the Colony declare any lands” are repealed, and the following words substituted therefor:—

“Within any area proposed to be formed into a drainage district declare any lands within such area and not forming part of a Municipality.”

In section 4 the words “any such district may comprise any entire road district, or part of a road district only or any road district with a part or parts of another or others,” are repealed.

l.

6. UPON the constitution of any district under this Act, the Governor may, by Proclamation in the *Government Gazette*, appoint six persons to be the first members of the Board for such district, any three of whom shall form a quorum for the transaction of business, and such members may appoint one of their number to be chairman thereof; and the members so appointed shall hold office until the first annual election after the constitution of the district, when they shall retire; and such Board shall have and exercise all the powers, duties, and functions of a Drainage Board elected as hereinafter provided.

Governor may appoint first members of Drainage Board.

See S. A. Act, 104 of 1878, s. 8.

7. (1.) A DRAINAGE Board shall be elected for every district, consisting of six members, any three of whom shall be a quorum for the transaction of business. Elections shall be held on the third Thursday in December in every year at such place within the district as the Returning Officer shall appoint.

Election of Board.

See Roads Act, 1888, s. 32.

(2.) At the first election for a new district the Returning Officer shall be nominated by the Governor.

(3.) At every election other than the first the chairman of the Board, and in his absence, or if there shall be no such chairman, any member of the Board elected by the members present for that purpose, shall be the Returning Officer.

(4.)

Land Drainage.

(4.) In case in any district the electors fail to duly elect a Board, or any members to fill up the vacancies in a Board, the Governor, by notice in the *Government Gazette*, may appoint a Board or members to fill any vacancies.

Entry of Board on
office and retirement
of members.

Ibid., s. 48.

8. (1.) THE Board shall enter upon their office on the day following their election.

(2.) On the third Thursday in every December two members shall go out of office by rotation, and an election shall be held to supply their places, and the persons elected shall assume office on their predecessors going out of office.

(3.) The members of each Board shall go out of office in the following order, that is to say:—The two members who had the least number of votes at the first election under this Act shall be the first two to go out of office; the two members who had the next smallest number of votes at the first election under this Act shall be the next two to go out of office; and afterwards the members to go out of office shall always be the two who have been longest in office without re-election, and in cases where two or more members are elected on the same day, as between themselves, those having the smallest number of votes at such election shall be deemed the longest in office for the purpose of retiring by rotation.

(4.) In case at any election of members two or more are elected by an equality of votes, or the election is had without a ballot, it shall be determined by lot in what rotation, as between themselves, such members having an equality of votes shall retire by twos as aforesaid, as the case may be; and in such case the members shall retire according to the rotation so determined.

Electors, electoral
list, and qualification.

9. EVERY person being a ratepayer in respect of property situate within a drainage district of the age of twenty-one years, and a natural born or naturalised subject of her Majesty, and not subject to any legal incapacity, shall be entitled to have his name placed upon the electoral list and to vote at the election of members of the Drainage Board for such district, and shall be qualified to be a member of such Board.

Electors, electoral
list, and qualification
of members to be as
under Roads Acts.

10. THE enactments of the Roads Acts concerning the electors and the electoral list, and concerning the qualifications of members of Road Boards, shall apply, *mutatis mutandis*, to Drainage Boards.

Certain sections of
Roads Act, 1888, to
apply to elections
under this Act.

11. SECTIONS thirty-three to forty-two inclusive, and sections forty-four to fifty-one inclusive, of the Roads Act, 1888, shall apply, *mutatis mutandis*, to elections under this Act.

Land Drainage.

12. WHEN the election of any member or members has been held, and is or has afterwards become void, the electors shall not thereby be disabled from electing such member or members for the future; but the election shall be had as in the case of a bye-vacancy, and every act necessary or convenient to be done in order to and for completing such election shall and may be done, and shall be as valid for all purposes as if the election had been upon the day or within the time appointed for that purpose.

Avoidance of an election to be treated as a bye-vacancy.

See *ibid.*, part s. 42.

13. EVERY Drainage Board shall be a body corporate under the name of "The Drainage Board of the District of _____," with perpetual succession and a common seal, having a capacity to hold lands and to do and suffer all things which a body corporate may do and suffer.

Board incorporated.
Land Drainage Act,
N.Z., 57 Vict., 46,
s. 14.

14. THE Board shall appoint a clerk and a treasurer, and may from time to time appoint and employ all such other officers, to assist in the execution of this Act, as they shall think proper and necessary, and from time to time may remove any of such officers and appoint others in the place of such as shall be so removed, or as may die, resign, or discontinue their offices, and, with the approval of the Minister, may pay such salaries and allowances to the said officers respectively as the Board shall think reasonable; and may, before appointment, require security for the due execution of the respective offices.

Appointment of officers, etc.

Ibid., s. 44.

Security.

15. NO member shall be capable of being or continuing a paid clerk or treasurer or any other such officer of the Board, as in the last preceding section mentioned.

Member of Board cannot be paid officer.

Ibid., s. 45.

Construction of Drains.

16. THE Colonial Treasurer may, with the approval of the Governor, from time to time expend for the purposes of this Act in the construction of main drains within any drainage district, or in

Colonial Treasurer may expend £30,000.
See 60 Vict., No. 26.,

Page 471.

64 VICT., No. 22.—Section 16 amended by 1 & 2 Edwd. VII., No. 8:

In section 16, the words "main drains within," in line three, are struck out, and the following words substituted therefor: "drains within or without."

In section 16, between the words "recommendation of" and the words "a Board," in the fifth line, insert the words "the Minister or."

redeemable not later than twenty-five years after the date thereof.

17.

Land Drainage.

Board may apply for
drainage works and
charge rates with
cost of construction.
Schedule.

17. A BOARD may, from time to time, apply to the Minister for the construction of main drains or any other drainage works within the district of the Board, and if the Governor approves of the application, the Board shall execute to the Colonial Treasurer an instrument creating a sole charge upon the drainage rates under this Act, in the form set out in the Schedule hereto, securing interest at four per cent. per annum on the cost of the work, and a payment at the rate of two per cent. per annum to a sinking fund for repayment of such cost: And the Colonial Treasurer shall thereupon raise or apply, in accordance with this Act, a sum of money to meet the cost of the work.

No other charge on the drainage rates shall be created or arise until the discharge of the security hereby required to be given.

The payments received on account of the sinking fund shall be applied in repayment of the sums expended by the Colonial Treasurer for the purposes of this Act, and shall, in the first place, be invested in a fund for the redemption of any debentures or other Government securities that have been issued for the purposes aforesaid, and, in the next place, as regards any sums not required for such redemption, shall be applied from time to time in repayment of any moneys expended for such purposes, and not raised by debentures or other Government securities.

Construction of
main drains.

18. THE Director of Public Works, at the request of the Minister, shall construct any main drains or other drainage works

Page 472.

64 VICT., No. 22.—Section 18 amended by 1 & 2 Edwd. VII., No. 8:

May ent
for surv
See *ibid*

In section 18, strike out the words "The Director of Public Works at the request of the Minister shall," and substitute therefor the words "The Minister may."

Strike out subsection 2 of section 18, and substitute the following therefor:—

(2.) May, without compensation, resume any land which has been granted or devised by the Crown, so that the area resumed, without compensation be not in excess of the quantity allowed by the provisions contained in the grant, lease, or other instrument, and reserving to the Crown any right to resume for a public purpose.

And ma
for drai

In section 18, subsection 5, strike out the words "within the district," in line two, and also substitute the word "Minister" for the words "Director of Public Works," in the second paragraph.

Land Drainage.

so that the total resumption does not exceed the extent allowed by the proviso reserving to the Crown the right to resume land for certain public purposes ;

- (3.) May, under the powers conferred by the Lands Resumption Act, 1894, resume any lands, or any estate or interest therein, within or without the district which in his opinion may be required ;
- (4.) May, from time to time, within or without the district, cut, dig, take, and carry away, or cause to be dug, cut, taken, and carried away any quantity of earth or materials in or from the land of any person, and, for so doing, shall pay reasonable compensation to the owners and occupiers of such land, except when acting in the exercise of a power reserved to the Crown by the grant ;
- (5.) May break up the soil of any roads, ways, or footpaths within the district, and excavate and sink trenches for the purpose of laying down and constructing drains therein, and may cause such drains to communicate with the sea, or any arm thereof, or with any stream or water-course, either within or without the limits of the district, and also from time to time may open, cleanse, and repair such drains, or alter the position thereof ; and may do all such acts, matters, and things as he shall judge expedient, necessary, or proper for making, amending, repairing, completing, or improving any water-course or drain, or other works to be made, done, and provided for the purposes of this Act ;

May enter and take earth, etc.

See *ibid.*, s. 21.

May break up roads, etc.

See *ibid.*, s. 19.

Provided that, before interfering with any such road, way, or footpath, the Director of Public Works shall give one month's notice, in writing, to the local authority having control thereof, and shall make reasonable compensation for any actual damage done thereby ;

- (6.) May, in the making, widening, deepening, cleansing, or repairing of any drain or ditch, remove the soil thereof and place it on the bank on either side of such drain or ditch.

May place soil on banks.

Ibid.

Powers and Duties of the Board.

19. ALL drains and drainage works which shall be constructed under this Act shall, when completed, be vested in the Board.

Drains to be vested in Board.

20. IT shall be the duty of the Board to cleanse, repair, and otherwise maintain in a state of efficiency all drains and drainage works vested in the Board.

Board to maintain drains.

Land Drainage.

Branch drains.

21. (1.) ON the application of any owner or occupier of any land within the district, the Board may authorise such person to make branch drains communicating with any main drain on such terms as to maintenance, cleansing, and otherwise as to the Board may seem fit.

(2.) Where, on land adjoining a drain constructed by the Board under this Act, the water collects in such quantity as to render it necessary, in the opinion of the Board, that a branch drain should be made to carry the water into the drain constructed by the Board, the Board may serve notice on the owner or occupier, requiring him to make such branch drain, and if the owner or occupier makes default for a month after such notice, the Board may make the branch drain and recover the cost thereof from the owner or occupier. Such notice shall specify the nature and direction of the branch drain required, and where and in what manner it is to be connected with the drain constructed by the Board.

Board may levy rate.
Ibid., s. 30.

22. THE Board, after not less than ten days' public notice, in a newspaper having a general circulation within the district, has been given of their intention, shall levy a rate on all lands in the drainage district (except as hereinafter mentioned) in each year, according to their ratable value, for the purposes of this Act, and may appoint a time and place for the payment of such rate, and all rates not so paid may, without further notice, be recovered by the Board in any Court of competent jurisdiction.

The rolls of ratepayers of a drainage district shall be conclusive evidence that persons whose names appear therein respectively are liable to the rate to be levied as aforesaid.

Rates to be applied
to interest and sink-
ing fund.

See 60 Vict. 19, s. 15.

23. THE rates received by the Board by virtue of this Act shall be applied in the first place to paying to the Colonial Treasurer interest at the rate of four pounds per centum per annum on the amount borrowed by him on debentures, and in the next place to the sinking fund for the repayment of the amounts paid or applied to meet the cost of construction at the rate of two per centum per annum on the said amount and, after such payments, to the management, maintenance, and improvement of the drainage works within the district.

Differential rates on
land.*Ibid.*, s. 31.

24. ANY such rate may be levied in manner as directed by the advertisement thereof, which may from time to time be altered or revoked by the Board, either—

(1.) On a uniform scale ; or

(2.) On a graduated scale according to the classification of lands in the district.

All

Land Drainage.

All lands in any district which, by their situation, configuration, or other physical causes, are excluded from deriving any benefit from the drainage works, may be exempted by the Minister on the recommendation of the Board from all rates to be levied in respect of such works.

25. EVERY annual rate shall be for an amount sufficient to make the payments toward interest and sinking fund as aforesaid, and in case such rate is insufficient for that purpose, or no rate is levied and collected, the Minister may make, levy, and collect drainage rates as if he were the Board, and may exercise all the powers of the Board for that purpose.

Rates to be sufficient to pay interest, etc., and Minister to make rate on default of Board.

26. WHENEVER, in any year, the drainage rate is insufficient to pay the interest and the contribution to the sinking fund as aforesaid, the deficiency may be advanced out of the Consolidated Revenue, and shall become a charge upon the rates, repayable, with interest, in like manner as the charge hereinbefore provided for.

Consolidated Revenue may come in aid of payments, and be a charge on rates.

27. AFTER making the payments aforesaid, and after the expenses of maintenance, management, and improvement have been met, the Board may, if they think fit, with the approval of the Minister, employ any surplus in their hands in reduction of rates.

Board may employ surplus to reduce rates.

28. WHERE any drainage works constructed under this Act improve unoccupied Crown lands in the district so as to promote settlement there, the Governor may make a contribution to the funds of the Board to such extent as he may see fit.

Where Crown lands improved Government may contribute to Board.

29. THE Board shall cause books to be provided and kept, and true and regular accounts to be entered therein, of all sums of money received and paid under the authority of this Act, and of the several purposes for which such sums of money have been received and paid, which books shall, at all reasonable times, be open to the inspection of any ratepayers without fee or reward, and any ratepayer may take copies or extracts therefrom gratis; and any member or officer of the Board who does not, on the reasonable demand of any ratepayer, permit him to inspect the said books, or to take such copies or extracts, shall, on conviction for every such offence, pay a fine not exceeding Five pounds.

Book of account to be kept.

Ibid., s. 50.

30. ALL moneys received by the Board shall be paid into some one of the public banks of the Colony to the account of the

Moneys received to

Land Drainage.

The accounts of the Board for the past year shall be audited in the month of March in each year by the Auditor General.

The Board of every district shall, before the end of the second week in February in each year, cause the accounts of the Board for the past year, up to and including the last day of December, to be balanced, and also a full and true statement and account to be prepared of the amount of all rates made and levied, and of all moneys received and expended during the past year, and such statement and account, signed by the chairman and the treasurer of the Board at least, shall be submitted by the chairman to the Auditor General.

The treasurer of every district shall forthwith, after such audit, make out and cause to be printed and published in some newspaper circulating in the district a full abstract of the accounts for the year as audited.

Miscellaneous.

Chairman or clerk
may represent Board
in proceedings before
Courts, etc.

Ibid., s. 55.

Re-imbursement of
officer.

Ibid., s. 56.

31. IN all proceedings under this Act in any Court in which the Board shall be concerned, the chairman or the clerk of the Board may, in person or by counsel or solicitor, represent the Board and act in their behalf in all respects as though he, and not the said Board, had been the party concerned; and the chairman or clerk shall be reimbursed all damages, costs, charges, and expenses to which he shall be put, or with which he may become chargeable, by reason of anything done or suffered in the course of such representation.

Penalty for interfer-
ing with drains, etc.

Ibid., s. 25.

32. EVERY person, not being authorised for that purpose by the Board, who shall, without the consent of the Board, make any drain into any water-course or drain vested in the Board by this Act, or who shall, without any such consent, stop or obstruct any such last-mentioned water-course or drain, shall be liable for every such offence to a penalty not exceeding Fifty pounds, and the Board may cause such branch drain to be remade as they think fit, and all expenses incurred thereby shall be repaid to the Board by

Page 476.

64 Vict., No. 22.—Section 30 amended by 1 & 2 Edwd. VII., No. 8:
In Section 30, substitute the word "Board" for the word
"district," in the first line of the last paragraph.

Malicious
tion of prop

Ibid., s. 76.

erected or made for the purposes of this Act, or any other Act.

Page 476.

64 VICT., No. 22.—Section 33 repealed by 1 & 2 Edwd. VII.,
No. 14.

Land Drainage.

34. EVERY person who at any time obstructs the Director of Public Works or the Board, or any person appointed by him or them, in the performance of anything which they are respectively empowered or required to do by this Act, shall be liable to a fine not exceeding Fifty pounds.

Penalty for obstruction.

Ibid., s. 77.

35. ANY Judge of the Supreme Court or any Magistrate, notwithstanding that such Judge or Magistrate is or is liable to be rated within the district under any of the provisions of this Act, or is a resident or is owner or occupier of land within the district, may hold any Court, or do any act, matter, or thing, or adjudicate in the recovery of rates, and in appeals against rates, and in revising lists of voters, and may hear and determine informations and complaints, and hear and adjudicate upon all other matters and things which he might hold, do, or adjudicate upon if he had not been liable to be so rated or had not been such resident, owner, or occupier.

Judges and Justices to hear and determine, though liable to be rated.

Ibid., s. 75.

36. EVERY proceeding commenced or prosecuted against any person for anything done or to be done in pursuance of this Act, or in execution of the powers and authority hereby given, shall be commenced within twelve months next after the act committed, and not afterwards.

Limitation of actions.

Ibid., s. 59.

Place of trial.

37. PERSONS charged with any offence hereby made punishable only by a fine may be prosecuted, and all fines and penalties imposed by this Act shall be recoverable before a Court of summary jurisdiction.

Penalties recoverable summarily.

Ibid., s. 78.

38. IN the execution and performance by any Board of the powers conferred and the duties imposed upon it by this Act, a member of the Board shall not be personally liable in respect of the execution of the said powers, or the performance or non-performance of the said duties, unless it is proved that such member has been guilty of wilful misconduct or negligence; but, if the Board has been guilty of culpable negligence in the doing or omission of any Act, the Board shall be liable for such negligence.

Exemption of members of Board from personal liability.

See 52 Vict. 6, s. 75.

39. EVERY Board may make by-laws for the better carrying

By-laws.

Page 477.

64 VICT., No. 22.—Section 39 amended by 1 & 2 Edwd. VII., No. 8: In section 39, after the words "every Board may," insert the words "with the approval of the Governor."

THE

THE

Land Drainage.

THE SCHEDULE.

Section 17.

The Land Drainage Act, 1900.

To ALL to whom these presents shall come, Greeting: Whereas the Drainage Board of the District of _____ has applied, in accordance with the Land Drainage Act, 1900, to the Minister to construct a drain or drains from _____ through _____ to _____ [or otherwise describe it], and the Governor has approved the work, and the estimated cost of construction is £ _____, but the actual cost of construction may be more or less than that sum; Now, therefore, for securing the repayment of the cost of construction with interest thereon, the said Drainage Board hereby charges the annual drainage rates of the said district (subject to the payment of the expenses of the Board and of collection) with the payment to the Colonial Treasurer of interest at six per centum per annum on the sum of £ _____ until the work is completed and the actual cost of construction is ascertained, and thenceforth on the actual cost of construction, hereinafter called the principal sum, be the same more or less than the said sum of £ _____, the said six per centum being four per centum interest on the principal sum and two per centum to go to a sinking fund for repayment thereof, and such payment being annually continued until the discharge of the said principal sum with interest at four per centum per annum thereon.

Dated this _____ day of _____, 19 ____.

Sealed with the seal of the
Drainage Board of the Dis-
trict of _____ in the
presence of us

[SEAL.]

E. F., Chairman.
G. H., Clerk.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

64 VICT., 1900.

115

Page 470.

64 Vict., No. 23.—Repealed by No. 15 of 1904.

amending the same.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Goldfields Act Amendment Act, 1900, and shall be incorporated with the Goldfields Act, 1895, hereinafter called the principal Act.

Short title.

2. ANY miner resident on a goldfield, being not less than eighteen years of age, may, subject to the regulations, apply for a lease, to be called a "Miner's Homestead Lease," of any Crown land

*Application for
miner's homestead
lease.*

Goldfields Act—Amendment.

See Queensland Mining Act, 1898, s. 71.

land within the limits of the goldfield, and the land comprised in such lease is hereinafter called a miner's homestead.

Application to be made to the Warden.
Ibid., s. 71.

3. THE application shall be lodged at the office of the Warden of the goldfield within which the land applied for is situate.

Area of land that may be leased.
See *Ibid.*, s. 72.

4. NO person may apply for a miner's homestead or homesteads within the limits of the same goldfield of a greater area than the following, whether held in one holding or several holdings, that is to say:—Within two miles of the nearest boundary of any townsite or suburban area, Twenty acres; and beyond two miles from such boundary, Five hundred acres; and the aggregate area applied for by any one person within the same goldfield shall in no case exceed Five hundred acres.

The Warden may recommend the reservation of a townsite and the boundaries thereof, before recommending the issue of any miner's homestead lease.

For the purposes of this section any portions of land distant more than twenty miles from each other shall be deemed to form part of different goldfields.

Priority of title.
See 59 Vict., No. 40, s. 44.

5. IN the event of more than one application being made for the same land, or any portion thereof, priority of title shall be determined in accordance with the provisions of section forty-four of the principal Act.

Objections.
Queensland Mining Act, 1898, s. 76.

6. ANY holder of a miner's right may, within the prescribed time after the lodging of an application, lodge at the Warden's office a notice of objection to the application, specifying the grounds of objection.

Manner of disposing of applications.
See Queensland Mining Act, 1898, s. 78.

7. ALL applications and objections thereto shall be disposed of by the Warden in open Court after personal inspection of the land by him, or the receipt of a report by a mining surveyor or Inspector of Mines.

The Warden shall state in open Court his reasons for recommending or rejecting any application to which objection has been made.

Power for Warden to alter or reject application.
Ibid., s. 79.

8. IF the land applied for includes any claim or land in the authorised occupation of any person, or if the granting of the application would, in the opinion of the Warden, in any way interfere with mining or with the requirements of the public, the Warden shall

Goldfields Act—Amendment.

shall make such alterations in the area and boundaries of the land as seem advisable to him, or he may absolutely reject the application.

If the land contains valuable improvements the Warden may impose a condition that the applicant shall pay the value of the improvements to be fixed by arbitration.

9. UPON receipt of the surveyor's plans and the report of the Warden, the Minister may, with the approval of the Governor, grant to the applicant a miner's homestead lease, which, subject to the prescribed conditions, shall be in force so long as the lessee pays the rent as prescribed by this Act.

Issue of lease.

Ibid., s. 81.

10. WHEN an application for a lease is rejected the applicant shall be entitled to have the amount deposited by him as rent returned to him, together with the survey fee if no survey has been made.

Return of rent and survey fee.

Ibid., s. 82.

11. WHEN a lease has been approved, notice thereof shall be published in the *Government Gazette*, whereupon the applicant shall be at liberty forthwith to enter upon and occupy the land applied for.

Occupation on approval of application.

See Ibid., 83.

But if, at the expiration of six months from the notification of approval in the *Government Gazette*, the applicant has not used or occupied the said land, either by himself residing on it, or by enclosing one-tenth part of it with a substantial fence, or by substantial improvements on the land, or by carrying on some manufacture upon or in connection with the land, he shall be deemed to have abandoned the land, and shall cease to be entitled to a lease thereof, and shall not be entitled to a return of any moneys paid by him as rent, and the land may be immediately applied for by another applicant.

12. THE lessee shall, within three years from the date of the survey of the land, fence the whole of the land with a substantial fence, not being a brush fence, proved to the satisfaction of the Minister to be sufficient to resist the trespass of great stock, and within five years from the said date shall expend upon the land, in prescribed improvements, an amount equal to Ten shillings per acre.

Lessee to fence and improve.

13. WHERE any land comprised in a miner's homestead lease shall previously have been held by the lessee under the regulations as

As to improvements on land previously held as a market garden area.

Goldfields Act—Amendment.

as a market garden area, any improvements thereon shall be deemed a performance of the obligations of the lessee under section eleven, so far as such improvements may extend.

Payment for im-
provements.
See Land Act, 1898,
s. 145.

14. NO improvements shall be deemed made pursuant to this Act, nor shall any payment or valuation be made in respect thereof, unless the Minister shall be satisfied that the same were made *bona fide* for the purpose of improving the land, and unless the same shall consist of wells of fresh water, reservoirs, tanks, or dams of permanent character and available for the use of stock; or of dwelling houses or buildings for industrial purposes; or of sheds and buildings erected for farm or shearing and station purposes; or of cultivation, sub-division fences, clearing, grubbing, draining, ring-barking (at not more than Two shillings and sixpence per acre), or any improvement for maintaining or improving the agricultural or pastoral capabilities of the land.

Rent payable.
See Queensland
Mining Act, 1898,
s. 84.

15. THE rent reserved by a miner's homestead lease shall be as follows, that is to say:—

If the area thereof does not exceed twenty acres, an annual rent at the rate of Two shillings for every acre or part of an acre, and if the area thereof exceeds twenty acres, an annual rent at the rate of Sixpence for every acre or part of an acre, shall be payable during the first twenty years of the lease, and thereafter the rent payable in respect of such lease shall be an annual rent of One shilling and no more on the first day of January in every year, if demanded: Provided that the minimum annual rent for the first twenty years to be reserved by any lease shall not be less than Ten shillings.

Transfer of miner's
homestead lease.
Ibid., s. 87.

16. A MINER'S homestead lease may, subject to the approval of the Minister, be transferred by signing an instrument of transfer in the prescribed form and paying the prescribed fee:

Provided that no person shall be entitled to transfer any homestead lease to any person not entitled to apply for the same under section four of this Act, unless such lease shall have been in existence for a period of ten years prior to the date of such transfer, and that the transferee must be a person otherwise qualified under this Act.

Transfer by sheriff
when holding taken
in execution and
sold.
Ibid., s. 88.

17. WHEN a miner's homestead is taken in execution under the judgment of a Court of competent jurisdiction, and sold, the sheriff or other proper officer shall execute a transfer of the lease to the purchaser at such sale; and upon registration of the transfer,
and

Goldfields Act—Amendment.

and payment of the prescribed fee, the lease shall be transferred to such purchaser accordingly:

Provided that the transferee shall be the holder of a miner's right, subject to the proviso in section sixteen.

18. (1.) ANY miner may mark off, apply for, and take up for mining purposes, in accordance with the provisions of the principal Act or the Mineral Lands Act, 1892, and the regulations thereunder respectively, any land comprised in a miner's homestead in the same manner as if the land were unoccupied Crown land.

Rights of miners to work leased land.
Ibid., s. 94.

(2.) A gold mining or mineral lease may be granted under the principal Act or the Mineral Lands Act, 1892, of land comprised in a miner's homestead. But in any such case the lease shall be of the mines under such land only, and not of the surface of the land.

(3.) When land comprised in a miner's homestead is taken up for mining purposes, or is included in a gold mining or mineral lease, the person entitled to mine thereon or therein shall be entitled to erect, maintain, and remove buildings and machinery, sink shafts, and carry on all necessary mining operations upon the surface of the land comprised in the claim, gold mining or mineral lease, and shall also be entitled to access to the mines through the residue of the land comprised in the miner's homestead.

19. IN any of the cases mentioned in the last preceding section, the lessee may call upon the Warden to assess the value of the damage likely to be done to any improvements upon his homestead, and the Warden may thereupon, if he think fit, require the miner or applicant for a gold mining or mineral lease working, or about to work upon the land, to deposit in his hands the amount of the damage which the working is likely to do to the lessee, and until such payment is made the miner or applicant for a gold mining or mineral lease shall not be entitled to work upon the land.

Compensation for land.
Ibid., s. 95.

Upon the receipt of the amount so required to be deposited, the Warden shall hold the same as security to be paid either wholly or in part to the lessee if he sustains any damage, or to be returned to the miner or applicant for gold mining or mineral lease on his leaving the land if he does no damage. In assessing such damage only actual injury to improvements shall be taken into account, and no compensation shall be allowed for the value of the land or the lessee's interest therein.

When a lessee has received any money by way of compensation for injury to improvements, he shall not afterwards be entitled to claim compensation in respect of the same improvements, but shall be entitled to claim for additions made to them after the time when he received such compensation.

Goldfields Act—Amendment.

Appointment of
arbitrators.
Ibid., s. 96.

20. IF, in any case in which the Warden has been called on to assess the damage sustained by a lessee through the operations of any miner or applicant for a gold mining or mineral lease working on the land comprised on his lease, either party is dissatisfied with his decision, such party may require that the question be referred to arbitration.

An application for arbitration shall be made within forty-eight hours after the decision of the case by the Warden, otherwise it shall not be entertained, and shall be in writing, addressed to the Warden, and a copy thereof shall be delivered by the applicant to the other party concerned, and shall, on such delivery, be equivalent to a submission in writing by both parties of the matters in dispute to two arbitrators, who are to appoint an umpire.

Protection of mining
improvements.
Ibid., s. 97.

21. WHEN a miner or gold mining or mineral lessee has put up any building or other erection, or put down a shaft upon land comprised in a miner's homestead lease, and afterwards leaves the land, the homestead lessee shall not remove or destroy such building, erection, or shaft without the sanction of the Warden. Any lessee offending against the provisions of this section shall be liable to a penalty not exceeding One hundred pounds.

Resumption.
See *Ibid.*, s. 98.

22. THE Governor may, after six months' notice to the lessee, resume the whole or any part of a miner's homestead.

Amount of compensation.

Subject to the power of resumption reserved by the lease, upon any such resumption, the lessee shall be entitled to compensation, and the amount of such compensation shall be determined in the manner prescribed by the Land Resumption Act, 1894, for determining compensation for land taken under that Act.

Miner's homestead
lease not to be
deemed private land
within 62 Vict., No.
29.

23. NO land held as a miner's homestead lease under this Act shall be deemed to be private property within the meaning of the Mining on Private Property Act, 1898.

Limitation of Act to
certain goldfields.

24. THE foregoing provisions shall apply only to such goldfields, or to such portions thereof, as the Governor may by order in Council from time to time direct.

Amendment of 59
Vict., No. 40, s. 7.

25. SECTION seven of the principal Act is amended by adding at the end thereof the words "or abolish such goldfield."

Amendment of s. 13.

26. SECTION thirteen of the principal Act is amended by inserting after the word "created," in the fourth line, the word "therein."

27.

Goldfields Act—Amendment.

27. SECTION fifteen of the principal Act is amended by striking out the first and second lines thereof to and including the words "to be issued," and by inserting in lieu thereof "The Minister, and every Warden, and all persons appointed for such purpose by the Minister, whether individually or in virtue of their offices, may issue documents."

Amendment of s. 15.

28. SECTION sixteen of the principal Act is amended by inserting in the eighth paragraph, after the word "occupy," the words "in localities approved by the Warden."

Amendment of s. 16.

29. SECTION eighteen of the principal Act is amended by striking out the words "the lease," in line five, and by inserting "any" in lieu thereof, and striking out the words "lease" and "transferred," in lines eight and nine thereof respectively.

Amendment of s. 18.

30. SECTION nineteen of the principal Act is amended by striking out the words, at the beginning of the section: "It shall be lawful for the Governor to appoint such persons as he may think fit to," and inserting in lieu thereof, "The Minister, and every Warden, and all persons appointed for such purpose by the Minister, whether individually or in virtue of their offices, may," and the said section shall be deemed to have been originally enacted as now amended, and by inserting in sub-section two, after the word "occupy," the words "in localities approved by the Warden;" and by adding at the end of the same sub-section the following words:—"But no business area shall be granted within a distance of three miles from any gazetted townsite without the approval of the Minister."

Amendment of s. 19.

31. SECTION twenty-three is amended by striking out all the words after "regulations," in the tenth line, and by inserting in lieu thereof, "provided that where such lands are within a municipality, a copy of such application shall be served on the Mayor of the municipality by leaving same at the office of the Town Clerk, and shall also be posted at the Warden's office."

Amendment of s. 23.

The Minister, on receipt of any application under this section, shall cause notice of such application to be published in the prescribed manner, and no authority to mine shall be granted if any valid objection is lodged within thirty days after the receipt of such application. With each such application the sum of Ten pounds shall be deposited to meet the cost of publishing notice thereof, and of inspecting and reporting on the land applied for.

32. SECTION thirty of the principal Act is amended by striking out the word "he," in line six thereof, and by inserting the words

Amendment of s. 30.

Goldfields Act—Amendment.

words "the holder may register the land as improved. On such registration being effected the holder, in the event of the land being thrown open for sale," and by adding at the end of the section the words, "Such notice shall be deemed duly served if inserted in the *Government Gazette*, and sent by post to the holder at his address (if any) appearing in the register."

See Victorian Mines
Act, 1890, section 67.

33. SECTION thirty-five of the principal Act is amended by adding after the word "thereto," in line ten, the words:—"Provided also that a lease may be granted notwithstanding that the person applying for the same may not in all respects have complied with the Regulations, and no such non-compliance shall affect any lease already granted."

Amendment of s. 38.

34. SECTION thirty-eight is amended by striking out the words "and a copy of the decision of the Court of Appeal certified by him," in the eighteenth and nineteenth lines thereof.

Amendment of s. 41.

35. SECTION forty-one is amended by striking out the words, in the fifth and sixth lines, "may with the like consent be renewed," and inserting in lieu thereof "shall, at any time before the expiration thereof, at the option of the lessee, be renewable for a further period of twenty-one years."

Amendment of s. 42.

36. SECTION forty-two is amended by striking out all the words after "*Gazette*" in the tenth line.

Amendment of s. 45.

37. SECTION forty-five is amended by striking out, in the second, twelfth, thirteenth, and fourteenth lines, the words "or application for lease" wherever they occur, and by striking out, in line thirteen, the words "as the case may be," and all the words after "case," in the twenty-fifth line.

Amendment of s. 46.

38. SECTION forty-six is amended by striking out, in the second line, the words "or application for lease."

Amendment of s. 53.

39. SECTION fifty-three is amended by inserting, after the word "proceeding," in the first line, the words "under the jurisdiction conferred by section fifty-two."

Amendment of s. 62.

40. SECTION sixty-two is amended by inserting, after the word "proceeding," in the first line, the words "under the jurisdiction conferred by section fifty-two."

Goldfields Act—Amendment.

41. SECTION eighty-one is amended by inserting, after the word “proceedings,” in the first line, the words “under the jurisdiction conferred by section fifty-two.” Amendment of s. 81.

42. SECTION ninety is amended by striking out, in the eighth line, the words “shall and.” Amendment of s. 90.

43. SECTION six of the Goldfields Act Amendment Act, 1896, is amended by inserting after the word “before,” in the fourth line, the words “any Warden or.” Amendment of 60
Vict., No. 36, s. 6.

44. SECTION nine of the Goldfields Act Amendment Act, 1898, is amended by striking out, in the first line, the words “the hearing of,” and substituting the word “recommending,” and by striking out, in the fifth line, the words “the hearing,” and substituting the words “his recommendation.” Amendment of 62
Vict., No. 16, s. 9.

45. SECTION ten of the last-mentioned Act is amended by striking out the words “one-third,” in the second line of the second paragraph, and by inserting in lieu thereof “one-eighth.” Amendment of s. 10.

46. SUB-SECTION two of section twelve of the last-mentioned Act is repealed. Repeal of section
12, sub-section (2).

47. SECTION thirteen of the last-mentioned Act is amended by striking out the words “not exceeding four,” and substituting “if the total area does not exceed ninety-six acres.” Amendment of s. 13.

48. SECTION fourteen of the last-mentioned Act is amended by adding the words “and the whole or any portion of such fine may, in the discretion of the Governor, be awarded to the applicant for forfeiture.” Amendment of s. 14.

49. SECTION nineteen of the last-mentioned Act is amended by inserting after the word “Minister,” in the fourth line, the words “or the Under Secretary for Mines.” Amendment of s. 19.

50. SECTION twenty of the last-mentioned Act is hereby repealed, and the following substituted:— Repeal of s. 20, and
substitution of new
section.

- (1.) No person shall buy gold from any other person unless either the buyer or the seller is the holder of a “Gold Dealer’s License” (hereinafter called a “license”), and any person who shall buy gold, except as aforesaid, shall be

Goldfields Act—Amendment.

be guilty of an offence, and on conviction thereof shall be liable to a fine not exceeding One hundred pounds, or to imprisonment for not more than three months. Provided that nothing herein contained shall apply to the purchase of gold-bearing ores or tailings from any registered leaseholder or claim-holder under a contract in writing, signed by or on behalf of the vendor, setting forth that the ores or tailings were produced from and taken out of the ground comprised in the lease or claim of which the vendor is the registered holder, and which said lease or claim is sufficiently described in the said contract.

Warden or Resident
Magistrate may grant
a gold-dealer's
license.

- (2.) A license may be issued to any person desirous of dealing in gold. If such person desires to deal in gold on any goldfield, he shall apply for a license to the Warden, and if without a goldfield, to the Resident or Police Magistrate of the district within which his place of business is situated. All such applications shall be made in open Court, after the prescribed notice has been given. Any person may object to the issue of such license. No license shall be issued to any applicant unless the Warden or Magistrate is satisfied that he is a person of good character and reputation, and it shall be in the absolute discretion of such Warden or Magistrate to grant or withhold such license, as he may think fit. A fee of One pound shall be payable for a license, which shall remain in force until the thirty-first day of December next after the date of its issue, and may be annually renewed, on payment of a like fee, but may be cancelled by a Warden or Magistrate on the licensee being convicted of any offence against this section, or of any felony or misdemeanour which, in the opinion of such Warden or Magistrate, renders him unfit to hold a license.

Renewal of license.

- (3.) The Warden of any goldfield, or the Resident or Police Magistrate of any district in which licenses are in force, shall appoint a day during the month of December in each year for the holding of a Court for the granting of renewals of licenses. At least seven days' notice shall be given of the sitting of such Court by advertisement in a newspaper (if any) circulating in the district, and any licensee desiring to renew his license shall give notice, in the prescribed form, to the Warden or Magistrate of his intention to apply. Such Court may be adjourned to any day during the same month. On every application for a renewal of license the Warden
or

Goldfields Act—Amendment.

or Magistrate shall have like discretion as to such renewal as in the case of an original application.

- (4.) A license shall only entitle the licensee to deal in gold within the goldfield, goldfield district, or magisterial district within which it is issued, but the Warden of any other goldfield or Resident or Police Magistrate of any other district may, on application being made in open Court, extend such license to such other goldfield or district, and indorse the license to that effect. Notwithstanding any of the provisions of this section, any incorporated Bank may, on application to the Under Secretary for Mines, obtain a license without giving notice, which shall apply throughout the Colony. Effect of license.
- (5.) (a.) There shall be kept at the office of the Warden and the Resident or Police Magistrate of every goldfield or district, a register of all holders of licenses granted or in force in such goldfield or district, and every licensee residing or carrying on business as a gold dealer in any goldfield, goldfield district, or magisterial district, shall cause his name, and the address of his place or places of business, and of any change of address, to be registered in the register to be kept as aforesaid. Registers of holders of gold dealers' licenses to be kept at the office of Wardens and Resident Magistrates.
- (b.) It shall be the duty of the Mining Registrar, or the Clerk to the Magistrate, to transmit a statement of the name and residence of every person to whom a gold dealer's license is granted, or who obtains a renewal thereof, and the date of the issue or renewal thereof, to the Under Secretary for Mines, who shall record the particulars so transmitted in a book, to be called the Register of Gold Dealers.
- (c.) The before-mentioned registers shall be open for inspection by the public at all times during ordinary office hours.
- (d.) Every name of a licensee shall be struck off the register on the expiration of his license, unless a renewal of such license has been previously granted.
- (6.) Every licensee shall keep at his place of business a book (hereinafter called "A Gold Dealer's Book"), and shall immediately, after buying or selling any gold, make an entry in such book of the name and address of the buyer Licensee to keep gold purchase book.

Goldfields Act—Amendment.

buyer and seller, respectively, and of such other particulars as may be from time to time prescribed, and shall furnish to the Warden, Resident or Police Magistrate, or Under Secretary for Mines, such particulars as to gold bought as may also be from time to time prescribed. Any licensee failing to comply with these provisions shall be guilty of an offence against this section.

Inspection of gold
purchase book.

- (7.) Every inspector, sub-inspector, or sergeant of police, and (if authorised in that behalf in writing under the hand of a Warden, or Resident or Police Magistrate, or under the hand of any two Justices of the Peace), every member of the police force or officer of the Mines Department may at any time, on a business day, enter the place of business of a person holding a gold dealer's license, or other the place where his gold dealer's book is, and may inspect and make extracts from such book, and every person refusing to produce such book, or resisting or impeding such inspection, or extracting, shall be guilty of an offence against this section: Provided that the person making such inspection or extracts shall not divulge the result thereof to any person other than a superior officer, or by order of the Court, under a penalty on summary conviction not exceeding Twenty pounds.

Returns to be fur-
nished by owners,
etc., of batteries.

- (8.) Every owner or manager of a battery or other apparatus for the extraction of gold from earth or ore, shall furnish the Mines Department monthly with a return, setting forth the amount of stone or earth treated by him during the previous month, together with full particulars of the amount of gold extracted therefrom, with such other particulars as may be prescribed by the Regulations.

Penalties for
offences.

- (9.) Save where a penalty is specially provided, a person guilty of an offence against this section shall be liable to a fine of not more than Twenty pounds, and in default to imprisonment not exceeding three months, and every offence against this section may be dealt with by a Court of summary jurisdiction.

Jurisdiction.

Interpretation.

- (10.) For the purposes of this section "buyer" shall mean as well dealer or agent, and "gold" shall mean as well gold bullion, gold ores, alluvial gold, gold amalgam, gold alloys, zinc precipitates, slag, concentrates, and unwrought gold in any form.

(11.)

Goldfields Act—Amendment.

- (11.) Every license granted under the section hereby repealed shall expire on the Thirty-first day of December, One thousand nine hundred, but any licensee whose license except for this Act would have continued after that date, shall be entitled to receive from the Under Secretary for Mines the proportionate part of the fee paid for such license in advance for any period subsequent to such date.

Expiration of existing licenses.

51. IT shall not be lawful for the owner, lessee, or occupier of any mine lying under any railway reserve, or under land resumed for railway or tramway purposes, to mine under such reserve or resumed land without giving at least fourteen days' previous notice, in writing, to the Minister.

No person to mine under railway reserve except on certain condition.

The Minister may impose upon such owner, lessee, or occupier such terms, if any, as the Minister thinks necessary for the public safety, and in that case such mining shall only be carried on in accordance with those terms.

A condition for the observance of this section by the lessee of every existing and future mining lease shall be deemed to be contained therein. The Governor, if he shall think fit, may, at the request and cost of any such lessee, owner, or occupier, cause or require the deviation of any railway or tramway so far as may be necessary for the working of any lode or reef.

52. SUBJECT to the provisions of section twelve of the Goldfields Act Amendment Act, 1898, and without prejudice to any lease the subject of pending legal proceedings, whenever by any notice heretofore or hereafter inserted in the *Government Gazette*, signed, or purporting to be signed by the Minister, or by the Under Secretary for Mines, any lease granted under the principal Act, or any Act relating to gold mining heretofore in force, shall have been declared void or forfeited, such notice shall be deemed to have been from the date of such its publication conclusive evidence that such lease was and was duly declared to be forfeited at the time mentioned in such notice, and that Her Majesty forthwith thereafter re-entered upon the said land in pursuance of the proviso for re-entry contained in the said lease, and the land comprised in any lease so declared void shall be deemed to have been, from the date of the publication of the *Gazette* containing such notice, vacant and unoccupied Crown land, capable of being taken possession of and occupied for mining or other purposes within the meaning of the principal Act, and any person who, after such insertion, shall remain or be in the possession or occupation of the lands comprised in such lease, or any part of them, under colour of such lease, shall be deemed to be in the unauthorised

Gazette notices of forfeiture of mining leases to be conclusive evidence of forfeiture.

See Mines Act, 1890 of Victoria, sec. 76.

Goldfields Act—Amendment.

unauthorised occupation of Crown lands and may be proceeded against accordingly : Provided that the Governor may, for any cause which he may deem sufficient, by any subsequent notice in the *Government Gazette*, signed, or purporting to be signed by the Minister or the Under Secretary for Mines, cancel any notice of voidance or forfeiture, and reinstate the lessee as of his former estate or some part thereof, and on any terms and conditions as regards the lessee and any persons who, since the forfeiture, have been lawfully in possession of any part of the land, and any proceedings taken and any things lawfully done or suffered since the forfeiture as to the Governor may seem fit.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXIV.

Page 493.

64 Vict., No. 24.—Repealed by No. 23 of 1904.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Railways Amendment Act, Short title.
1900.

2. SECTIONS four and five of the Railway Amendment Act, Repeal of 44 Vict.,
1881, are hereby repealed, and the following sections are sub- No. 17, ss. 4 and 5.
stituted:—

3. (1.) A LIST of all the tolls which the Governor in Council shall from time to time direct and appoint to be taken shall be published on a toll-board, which shall be kept exhibited in a conspicuous place on each station. List of tolls to be published on a toll-board.

(2.)

Railways Act—Amendment.

(2.) The said list may be so published by being painted on the toll-board in black letters and figures on a white ground, or in white letters and figures on a black ground, or by being written or printed in legible characters on paper or other material affixed to such board, or in a book hung thereon or attached thereto.

Tolls to be taken only while toll-board is exhibited. Penalty for defacing, etc.

4. THE toll-board by this Act required shall have the words "toll-board" legibly painted or printed at the head thereof, and no tolls shall be demanded or taken by the Commissioner in respect of any goods or passengers during any time at which the toll-board, with the list of tolls published thereon as by this Act required, is not exhibited in a conspicuous place at the station at or nearest to the place where such goods or passengers are received for carriage on the railway; and if any person wilfully pulls down, defaces, or destroys any toll-board or any list of tolls affixed or attached thereto, or any mile-post on the line of any railway, he shall forfeit a sum not exceeding Five pounds for every such offence.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXV.

Page 495.

64 Vict., No. 25.—See No. 60 of 1904.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parlia-~~ment~~

1900, Page 495. 64 Vict., No. 25.—*Repealed* by No. 34 of 1911.

hereinafter called the principal Act.

2. THE master, or any other person except the pilot, being in charge of any ship lying in Western Australian waters shall report to the officer of health of the Local Board whose district includes or is nearest to the place where such ship is lying, or to the water police, any illness of a suspicious kind, or any infectious or contagious disease, or any complaint attended with eruption or eruptive symptoms, which may occur in the said ship, immediately on the existence of such illness, disease, or complaint coming to his knowledge, whether such ship has been previously inspected by an officer of health or not.

Eruptive diseases to be reported.
Victorian Health Act, sec. 167.

3.

Health Act—Amendment.

Validation of existing
Central Board.

3. THE persons who, after the passing of the Health Act, 1898, have acted as members of the Central Board of Health shall be deemed to have been appointed under that Act; and the acts of the said Board are hereby validated notwithstanding any defect of appointment.

Governor may pro-
claim district.

4. THE Governor may, by proclamation, declare any two or more districts, municipal districts, and road board districts to be one district under the principal Act, and the board of health for such combined district shall therein exercise all the powers conferred, and perform all the duties, and be subject to the control and liabilities imposed by the principal Act upon local boards, and shall be called the District Board of Health.

Each local board
and road board to
elect members of
District Board.

5. (1.) IMMEDIATELY after the proclamation of a combined district, every municipal council and every non-municipal local board and every road board within such district shall meet, and each shall elect not more than three of their number to be members of the District Board of Health, and shall report to the Minister the result of such election.

Governor to appoint
the persons elected
and nominate con-
vener.

(2.) The Governor shall then, by notice in the *Government Gazette*, appoint the persons so elected to be members of the District Board of Health for the combined district, and so to continue until they cease to be members of the municipal council, local board, or road board by which they were respectively elected, and shall nominate one of them to be convener of the first meeting of the District Board of Health.

Election of Chair-
man of District
Board, and proceed-
ings thereof.

(3.) At the first meeting of such District Board in every year, the members present shall elect one of their number to be chairman for the current year, and, on any vacancy in the office of chairman, the members shall again so elect, and in case of the absence of the chairman from any meeting, the members present shall elect one of their number to be chairman of that meeting; and at all meetings of the Board the chairman shall have one vote, and, in case of equality of votes, a second or casting vote; and during any vacancy in the District Board, whether in the office of chairman or not, the continuing members may act as if no vacancy had occurred; and at all meetings of the District Board all questions shall be decided by a majority of the votes.

Quorum.

(4.) Any number of members, not being less than one half of the District Board, shall be a quorum for the transaction of business.

Board may regulate
its own proceedings.

(5.) The District Board may make, alter, and rescind rules for regulating their own proceedings and the duties of their officers.

6.

Health Act—Amendment.

6. A LOCAL Board may cause to be affixed distinctive numbers to every house, tent, or other dwelling not being within a municipality, and every occupier of such house, tent, or dwelling shall maintain the number, and the plate or material on which the number is painted or otherwise shown, in the place where the same has been affixed as aforesaid; and, in case of non-observance of this section, every such occupier shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than Five pounds.

Local Board may number houses, tents, etc., outside Municipality.

Offence and penalty.

7. IN case any Local Board fails to make or give notice of a public health rate within the time limited in that behalf, the Governor may, by notice published in the *Government Gazette*, appoint a further time within which such Local Board may make and give notice of such rate.

Lapse of time for making health rate.

8. SECTION three of the principal Act is hereby amended by inserting, in the fifteenth paragraph, at the end of the first line, after the word "cow," the words "or goat."

Amendment of section 3 of the principal Act.

9. SECTION twelve of the principal Act is hereby amended by inserting, in the second paragraph, after the word "Board," where it first occurs in the fourth line of that paragraph, the words "and may enter into contracts on its behalf."

Amendment of section 12.

10. SECTION seventeen of the principal Act is hereby amended by inserting, in the third line, after the word "contracted," the words "or abolished."

Amendment of section 17.

11. SECTION thirty-two of the principal Act is hereby amended by inserting, as the second paragraph thereof, as follows:—

Amendment of section 32.

"The Central Board may make—

(a.) Model by-laws for the guidance of local boards in the execution of this Act; and

South Australian Health Act, 1898, secs. 147 and 148.

(b.) All such by-laws for any portion of the Colony as a Local Board might make, if such portion were within the district of a Local Board.

"Every Local Board—

(a.) May, and so far as expressly directed by the Central Board shall, adopt the model by-laws prepared by the Central Board; and

Model by-laws.

(b.) May make, in addition, all such by-laws not repugnant thereto as it may deem necessary or convenient for properly carrying into effect the provisions of this Act within the district of the Local Board."

By-laws.

Health Act—Amendment.

Amendment of section 33 of the principal Act. **12.** SECTION thirty-three of the principal Act is hereby amended by inserting, in the second line of paragraph (d), after the word "milk," the words "cream, butter, or cheese."

Amendment of section 38. **13.** SECTION thirty-eight of the principal Act is hereby amended by inserting, at the end of the second paragraph, the words "unless such cesspools are so situated and of such construction as shall be required by the by-laws of the Local Board," and by striking out the word "and," in the second line of the seventeenth paragraph, and by inserting after the word "shops" the words "streets and other places."

Amendment of section 146. **14.** SECTION one hundred and forty-five of the principal Act is hereby amended by striking out the word "eight," in the third line, and inserting instead thereof the word "nine."

Amendment of section 146. **15.** SECTION one hundred and forty-six of the principal Act is hereby amended by omitting from the first line the words "within any city or town," and omitting from the third line the word "therein."

Amendment of section 153. **16.** SECTION one hundred and fifty-three of the principal Act is hereby amended as follows:—

By striking out the word "Local," in the last line of the first paragraph, and inserting instead thereof the word "Central," and

By inserting after the second paragraph thereof the following paragraph:—

Closing public building.

"When such direction or order is in writing, and has been served on the owner or occupier of such public building, and has not been complied with within fourteen days after such service, the Central Board may, by order in writing, direct the owner or occupier to close such public building until such order is complied with to the satisfaction of the Central Board, and the same shall be closed accordingly, and remain closed until the Central Board otherwise, by writing, directs."

Amendment of section 173. **17.** SECTION one hundred and seventy-three of the principal Act is hereby amended by omitting from the second line of the fourth paragraph the word "Council," and inserting in lieu thereof the words "Local Board."

Amendment of section 180. **18.** SECTION one hundred and eighty of the principal Act is hereby amended by omitting from the last line of the second paragraph the word "week," and inserting in lieu thereof the word "month."

19.

Health Act—Amendment.

19. SECTION one hundred and eighty-eight of the principal Act is hereby amended by omitting from the fifth line of the fifth paragraph the words “Municipal Council,” and inserting in lieu thereof the words “Local Board.”

Amendment of section 188.

20. SECTION two hundred and thirty-three of the principal Act is hereby amended by striking out the words from “one hundred and twelve” to “one hundred and ninety” inclusive, in the third, fourth, and fifth lines, and inserting instead thereof the words “one hundred and thirteen, one hundred and twenty-five, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, and one hundred and ninety-three.”

Amendment of section 233.

21. SECTION two hundred and thirty-eight of the principal Act is hereby amended by substituting the word “or” for the word “and,” at the end of sub-section one thereof, and by the substitution of the word “or” for the word “and” at the commencement of the fifth line of sub-section two thereof, and by the addition to such section, at the foot or end thereof, of the following words:—“The rate book, compiled under the provisions of the Municipal Institutions Act, 1895, shall be *prima facie* evidence of the contents of such book, and of the due striking of such rate, without any evidence that the notices or any of the conditions precedent to the due striking of the rate required by the Municipal Institutions Act, 1895, or any amendment thereof, have been given or complied with.”

Amendment of section 238.

22. SECTION two hundred and forty-two of the principal Act is hereby amended by inserting, at the beginning of the third line, the word “regulation.”

Amendment of section 242.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXVI.

AN ACT for requiring the Proprietors of Railways to carry Mails.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Carriage of Mails Act, 1900.

Short title.

2. IN this Act, unless the context otherwise requires,—

Interpretation.

“Mails” shall include letters, packets, newspapers, and parcels sent by post, and also letter-bags and mail-bags, whether containing letters, packets, newspapers, or parcels, or not:

“Railway Company” means the proprietors of a railway not belonging to the Government; and

Other words shall bear the same interpretation as in the Post and Telegraph Act, 1893.

3.

Carriage of Mails.

Conveyance of mails.
See Regulation of
Railways Act, 1873
(Imp.), s. 18.

3. EVERY railway company shall convey by any train all such mails as may be tendered for conveyance by such train, whether such mails are under the charge of an official of the Post Office or not.

Every railway company shall afford all reasonable facilities for the receipt, delivery, and (when directed by the Postmaster General) for the storage of mails at any of the company's stations, without requiring the mails to be booked, or interposing any other delay.

Where the mails are in charge of an official of the Post Office, every railway company shall permit such official, together with his assistants, if any, to travel in the train with the mails, and, if he thinks fit, to receive and deliver the mails at any station by himself or his assistants, rendering him nevertheless such aid as he may require.

Accommodation for
mails to be provided
for by railway com-
pany.

See 57 Vict., 5, s. 44.

4. EVERY railway company shall provide,—

- (1.) At every railway station such one or more suitable lockers for the safe keeping of mails as may be required by the Postmaster General.
- (2.) In every train by which mails are required by the Postmaster General to be carried, a suitable locker or locked carriage or compartment for the conveyance of mails; and
- (3.) In every such train suitable boxes or bags for receiving and carrying mails delivered to the company or its servants to be carried by any train *en route*.

Penalty for non-
observance.
See 1 & 2 Vict., c.
98 (Imp.), s. 12.

5. IN case any railway company fails to observe and comply with the requirements of the third and fourth sections of this Act, the General Manager of the company shall be deemed to be guilty of an offence, and, on conviction thereof before a Court of summary jurisdiction, shall be liable to a fine not exceeding Twenty pounds.

Remuneration for
conveyance of mails.
Regulation of Rail-
ways Act, 1873
(Imp.), s. 19.

Arbitration in case
of difference.

6. (1.) EVERY railway company shall be entitled to reasonable remuneration for any services performed by the company in pursuance of this Act, and such remuneration shall be paid by the Postmaster General.

(2.) Any difference between the Postmaster General and the company as to the amount of such remuneration, or as to any other question arising under this Act, shall be submitted to two arbitrators in accordance with the Arbitration Act, 1895.

(3.) If the Postmaster General and the railway company do not agree as to the terms of remuneration, the Postmaster General may serve upon the company a notice requiring the company to agree as to

Carriage of Mails.

to the terms of remuneration; and if, for fourteen days after the service of such notice, the parties fail to agree wholly or in part as to the terms, such failure shall, at the expiration of such fourteen days, constitute a submission as aforesaid as to the terms of remuneration so far as not agreed upon.

(4.) The terms of remuneration settled by any award of arbitrators under any submission may provide for future services, and in such case shall continue in force from the date of the award for such time as is fixed thereby, save so far as otherwise agreed by the parties.

7. THE right of the Postmaster General to the performance by any railway company of the services required by this Act to be performed by railway companies shall not be prejudiced by any failure of the parties to agree as to the terms of remuneration for such services, or by any dispute or demand of alteration in regard to the terms of such remuneration, or by any delay in commencing or carrying on any arbitration under a submission, or in making or publishing any award thereunder; but the arbitrators in any such case shall in the award direct as well the remuneration to be paid for services rendered from the date of such failure, dispute, or demand of alteration as for future services.

Services of railway company to continue, notwithstanding failure to agree or delay of arbitration. See *ibid.*, s. 7. 1 & 2 Vict., c. 98 (Imp.).

8. THE Postmaster General may at any time, by a month's notice, in writing, delivered to a railway company, put an end to the obligation of the company to render any part of the services by this Act required, and to the right to receive remuneration for such services, and, from the expiration of such notice, such obligation shall discontinue, and, in the absence of agreement, shall not be renewed until the expiration of a month's notice, in writing, delivered to the company by the Postmaster General requiring such services to be again rendered, whereupon such obligation shall be again in force.

Postmaster General may give notice to discontinue any portion of the services required of a railway company. See *ibid.*, s. 8.

9. THE Postmaster General may, from time to time, make regulations respecting the conveyance, delivery, and leaving of the mails and the officials of the post office and their assistants, by any railway company required to carry mails; and every such railway company, its officers and servants, shall obey all such reasonable regulations as the Postmaster General shall make in that behalf: Provided that it shall not be lawful for any official of the post office to interfere with or give orders to the engineer or other person having the charge of any engine travelling on the railway along which mails are conveyed; but if any cause of complaint arises, the same shall be stated to the conductor or other officer of the railway company having charge of the train, or to the chief officer at

Railway company to be subject to the regulations of the Postmaster General respecting conveyance of mails. See *ibid.*, s. 5.

Carriage of Mails.

at any station on the railway, and in case of the failure of any officer or servant of the railway company to comply with this section, the railway company shall be wholly responsible for the same.

By-laws, etc., contrary to this Act void.
See *ibid.*, s. 11.

10. ALL by-laws and regulations now or hereafter made by any railway company which militate against or are repugnant to this Act shall be void.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXVII.

AN ACT to amend the Act of the Sixth Year
of Her Majesty, numbered Fifteen, as to
Interest on Judgments.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parlia-
ment assembled, and by the authority of the same, as follows:—

1. IN section five of the Act passed in the sixth year of Her
Majesty, to extend the remedies of creditors against the property of
debtors, and numbered fifteen, the word "eight" is hereby substituted
for the word "ten."

Reduction of interest
on judgments.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXVIII.

AN ACT to amend the Law relating to Bills
of Sale, Liens, and Bailments.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Bills of Sale Act Amendment Act, 1900, and shall be incorporated with and form part of the Bills of Sale Act, 1899.

Short title.

2. THE fifty-fourth section of the Bills of Sale Act, 1899, is hereby amended by inserting after the word "piano," the words "musical instruments," "bicycle," "cash registers," "billiard tables and accessories," "agricultural machinery and implements."

Amendment of
section 54 of
principal Act.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

By Authority: RICHARD PETER, Government Printer, Perth.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Page 509. 64 VICT., No. 29.—Repealed by 1 & 2 Edwd. VII., No. 14.

ment Act of 1892.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. SECTION four of the Criminal Law Amendment Act, 1892, (hereinafter referred to as the principal Act) is amended by striking out the word "twelve," in lines two and eight, and by inserting the word "thirteen" in lieu thereof.

Amendment of 55
Vict., No. 24, s. 4.

2. SECTION six of the principal Act is amended by striking out the word "twelve," in line four, and by inserting the word "thirteen" in lieu thereof, and by striking out the word "fourteen," in lines four and five and line twenty, and by inserting the word "sixteen" in lieu thereof.

Amendment of s. 6.

3.

Criminal Law—Amendment.

Amendment of s. 8.

3. SECTION eight of the principal Act is amended by striking out the word “twelve,” in lines eight and fifteen, and by inserting the word “thirteen” in lieu thereof; and by striking out the word “fourteen,” in lines sixteen and twenty-five, and by inserting the word “sixteen” in lieu thereof.

Amendment of s. 13.

4. SECTION thirteen of the principal Act is amended by striking out the word “sixteen” in paragraphs (a) and (b), and by inserting the word “seventeen” in lieu thereof.

Amendment of s. 15.

5. SECTION fifteen of the principal Act is amended by striking out the word “sixteen,” in line three, and by inserting the word “seventeen” in lieu thereof.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Page 511.

64 Vict., No. 30.—Repealed by 2 Edwd. VII., No. 47.

AN ACT to amend the Lands Resumption Act,
1894.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. SECTION two of the Lands Resumption Act, 1894, is hereby amended by inserting after the word "wells," in line 15 thereof, the words "or for pipe tracks," and by inserting between lines 15 and 16 thereof the following:—

Amendment of 58
Vict., No. 33, sec. 2.

"(g¹.) For drainage works."

"(g².) For cemeteries."

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXI.

AN ACT to amend the Registration of Births, Deaths, and Marriages Act, 1894.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Registration of Births, Deaths, and Marriages Amendment Act, 1900, and shall be construed as one with the Registration of Births, Deaths, and Marriages Act, 1894, hereinafter called the principal Act.

Short title and incorporation with 58 Vict., 16.

2. IN this Act the term "prescribed" means prescribed by this Act or by regulations, and "regulations" means regulations made under this Act or the principal Act.

Interpretation.

Registration of Births, etc.—Amendment.

Repeal of s. 30 of principal Act and substitution of new section.

Registration of births after 12 months.

Registration Act (Vic.), 1898, s. 7.

Altered in form.

Penalty as in repealed Act.

Registration of birth after seven years.

Register not to be evidence of birth if made after twelve months from birth unless authorised by Registrar General,

nor if made after seven years from birth, unless authorised by Judge.

Penalty.

Amendment of s. 46 of principal Act.

New sub-section.

3. SECTION thirty of the principal Act is hereby repealed, and the following section is substituted therefor:—

30. (1.) AFTER the expiration of twelve months following the birth of any child in Western Australia, or following the arrival therein of the child if born at sea or out of Western Australia, it shall not be lawful for any district registrar to register the birth of such child except by the written authority of the Registrar General, and in accordance with the regulations, and on payment of the prescribed fee; and the fact of such authority having been given shall be entered on the register.

(2.) No registration of a birth shall be made after the expiration of seven years from the date of such birth except by the authority of a Judge of the Supreme Court, and the fact of such authority having been given and the date when it was given shall be entered in the register.

(3.) No register, or certified copy of any entry in the register, shall be evidence to prove the birth of any child wherein it shall appear that twelve months have intervened between the day of the birth and the day of the registration of the birth of such child, unless such entry purports to have been made by the written authority and in accordance with the regulations aforesaid; and no register or certified copy as aforesaid shall be evidence to prove the birth of any child wherein it shall appear that seven years have expired between the day of the birth and the day of the registration of the birth of such child, unless such entry purports to have been made by the authority of a Judge of the Supreme Court, the date whereof is entered as aforesaid.

(4.) Every District Registrar who, save as hereinbefore provided, knowingly registers, or causes to be registered, the birth of any child after the expiration of twelve months following the birth of such child, shall, for every such offence, be liable on conviction to a fine not exceeding Fifty pounds.

4. THE second sub-section of section forty-six of the principal Act is hereby repealed, and in lieu thereof the following sub-section is substituted:—

(2.) Every person who shall, for the purposes of registration, give the information contained in any register of births or deaths under this Act shall either—

(a.) At the time of giving such information subscribe his name in the column in which his name, description, and place of abode are written, or

(b.)

Registration of Births, etc.—Amendment.

- (b.) Forward to the District Registrar, by post, a statement of the particulars required by this Act to be registered, appending thereto a statutory declaration or a declaration in the form given in the Schedule hereto, or to the like effect, verifying such particulars and attested by a subscribing witness. Schedule.

The District Registrar shall file the statements so sent in to him in their order, and shall mark each statement with a number corresponding with the number of the entry in the register, and shall insert the name of the informant in the proper column.

5. NO existing or future entry in a register kept under the principal Act, and no certified copy of any such entry, shall be inadmissible in evidence merely by reason that the entry has not been signed by the informant. Entries not inadmissible by reason of omission of informant's signature.

6. EVERY person who makes any false statement in the declaration by this Act required or in the particulars referred to in Penalties for false declaration

Page 515. 64 VICT., No. 31.—Section 6 repealed by 1 & 2 Edwd. VII., No. 14.

7. THE Governor may make regulations for the better carrying of this Act into effect, and may, in such regulations, prescribe the fees to be paid in respect of registrations authorised by this Act. Regulations.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE.

Section 4.

I, the undersigned, A. B., of _____, being the person mentioned in the statement to which this declaration is appended as the [*here state whether mentioned as father, informant, or how*], do solemnly and sincerely declare that the particulars given in the said statement are true to the best of my knowledge and belief. And I make this solemn declaration knowing that by the Registration of Births, Deaths, and Marriages Amendment Act, 1900, I incur, in case of falsehood, the penalties of wilful and corrupt perjury.

A. B.

Declared by A. B.
in my presence.

[*Witness's signature.*]

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXII.

AN ACT to provide for the Payment of
Members of Parliament.

1900, Page 517. 64 Vict., No. 32.—*Repealed* by No. 33 of 1911.

authority of the same, as follows:—

1. THIS Act may be cited as the Payment of Members Act, Short title.
1900.

2. AS from the first day of the present session of Parliament every person while a Member of the Legislative Council, except as provided by section four, shall be entitled to receive from the Colonial Treasurer out of the Consolidated Revenue payment at the rate of Two hundred pounds per annum, and every person while a Member of the Legislative Assembly, except as aforesaid, shall be entitled to receive in like manner payment at the rate of Two hundred pounds per annum. Members to be paid.

3.

Payment of Members.

Mode of payment. **3.** EXCEPT as to the first payment, the amount payable per annum to any Member under this Act shall be paid by equal monthly payments.

Deductions from payment. **4.** NO Member whilst in receipt out of the Consolidated Revenue of any official salary or annual sum shall be entitled to receive any such payment as aforesaid, except in so far as such payment may exceed the amount of such official salary or annual sum.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Page 519.

64 Vict., No. 33.—See W.A. Law Reports, Vol. VII., p. 302.

Page 519.

64 Vict., No. 33.—Repealed by No. 18 of 1907.

Game Reserves.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. NOTWITHSTANDING anything contained in the Game Act, 1892, or any Act amending the same, the following enactments shall have effect:—

- (1.) Whenever a close season is or shall be declared for any native game, the Governor may, by proclamation, declare that it may nevertheless be lawful for any person to kill and take kangaroos for food only, but not for sale or barter.

Governor may allow kangaroos to be killed for food in close season.

(2.)

Killing Kangaroos for Food only.

and on native game
reserve.

- (2.) Whenever any one or more portions of the Colony are or shall be declared to be a reserve for native game, the Governor may, by proclamation, declare that it may nevertheless be lawful for any person to enter upon any such reserve for the purpose of killing and taking kangaroos for food only, but not for sale or barter.

Powers may be
exercised from time
to time.

2. THE powers by this Act conferred on the Governor may be exercised from time to time, and the proclamations made in execution thereof may from time to time be revoked and altered.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXIV.

AN ACT to repeal the Twenty-third Section
of the Post and Telegraph Act, 1893.

[Assented to, 5th December, 1900.]

WHEREAS by the Commonwealth of Australia Constitution Act the Posts, Telegraphs, and Telephones of Western Australia will, on a date to be proclaimed by the Governor General, become transferred to the Commonwealth: And whereas it will not be permissible, after such date, to denote the Revenue Duties of Western Australia by Postage Stamps, or to denote Postage Duties or Fees by Revenue Stamps of Western Australia: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. FROM and after the thirty-first day of December, 1900, section twenty-three of the Post and Telegraph Act, 1893, is hereby repealed.

Repeal of 57 Vict.,
No. 5, s. 23.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

By Authority: RICHARD PETER, Government Printer, Perth.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXV.

AN ACT to authorise the Re-appropriation of certain Loan Moneys borrowed by the Council of the Municipality of Kalgoorlie.

[Assented to, 5th December, 1900.]

WHEREAS the Council of the Municipality of Kalgoorlie, on the ninth day of November, One thousand eight hundred and ninety-nine, borrowed the sum of Fifteen thousand pounds on the credit of such Municipality under and in accordance with the provisions of the Municipal Institutions Act, 1895, for the permanent works and undertakings set out in the First Schedule to this Act: And whereas it is expedient that such Council should be authorised to abandon portion of such works and undertakings, and to apply such loan moneys for the purposes of the permanent works and undertakings set out in the Second Schedule to this Act: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with

Preamble.

Kalgoorlie Municipal Loans Re-appropriation.

with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Municipality empowered to re-appropriate for certain works money borrowed for certain other works.

1. NOTWITHSTANDING anything in the Municipal Institutions Act, 1895, or any amendment thereof, the Council of the Municipality of Kalgoorlie is hereby authorised and empowered to expend, for the purposes of carrying out the permanent works and undertakings set out in the Second Schedule to this Act, the sum of Fifteen thousand pounds borrowed by such Council on the credit of such Municipality on the ninth day of November, One thousand eight hundred and ninety-nine, for the permanent works and undertakings set out in the First Schedule to this Act, and to abandon such portion of the permanent works and undertakings set out in the First Schedule as are not included in the Second Schedule to this Act; and the permanent works and undertakings set out in the Second Schedule shall, for all purposes, be deemed and be taken to be the purposes for which such Council borrowed such sum of Fifteen thousand pounds, instead and in the place of the permanent works and undertakings set out in the First Schedule to this Act.

Short title.

2. THIS Act may be cited for all purposes as the Kalgoorlie Municipal Loans Re-appropriation Act, 1900.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

*Kalgoorlie Municipal Loans Re-appropriation.***First Schedule.**

	£	s.	d.
By Salt Water Supply	3000	0	0
„ Electric Light Plant Extension	2500	0	0
„ Swimming Baths	1000	0	0
„ Porter Street, Roadway	980	0	0
„ Brookman Street East, Footpath	860	0	0
„ Hannan Street West, Roadway	750	0	0
„ Brookman Street East, Roadway	630	0	0
„ Collins Street West, Footpath	495	0	0
„ Egan Street West, Footpath	440	0	0
„ Hannan Street West, Footpath	440	0	0
„ Brookman Street West, Footpath	440	0	0
„ Dugan Street West, Footpath	440	0	0
„ Bourke Street, Footpath	396	0	0
„ Piccadilly Street, West	330	0	0
„ Varden Street, Footpath	316	0	0
„ Stables and Shed	300	0	0
„ Contingencies	296	0	0
„ Egan Street East, Footpath	264	0	0
„ Lionel Street, Footpath	220	0	0
„ Butler Street, Footpath and Clearing	160	0	0
„ Parks and Reserves	157	0	0
„ Ward Street, Footpath and Clearing	140	0	0
„ Forrest Street, Footpath	100	0	0
„ Addis Street, Footpath and Clearing	90	0	0
„ Campbell Street, Footpath and Clearing	90	0	0
„ Hare Street, Footpath and Clearing	90	0	0
„ Graeme Street, Footpath and Clearing	56	0	0
„ Maritana Street, Clearing	20	0	0
	£15000	0	0

N.B.—All Footpaths to be 30 feet wide, gravelled and kerbed.

Second Schedule.

	£	s.	d.
Salt Water Supply	3000	0	0
Electric Light Plant Extension	2500	0	0
Swimming Baths	1287	12	8
Paving Footpaths, Hannan Street	1100	0	0
Brookman Street East, Footpath	860	0	0
Hannan Street West, Roadway	750	0	0
Varden Street, Footpath	622	3	7
Brookman Street West, Footpath	498	18	7
Hannan Street West, Footpath	456	17	4
Dugan Street West, Footpath	444	7	10
Egan Street West, Footpath	440	0	0
Bourke Street, Footpath	396	0	0
Egan Street East, Footpath	264	0	0
Lionel Street, Footpath	220	0	0
Carried forward	12840	0	0

SECOND

Kalgoorlie Municipal Loans Re-appropriation.

SECOND SCHEDULE—continued.

	£	s.	d.
Brought forward	12840	0	0
Collins Street West, Footpath, no kerbing {	191	0	0
Parsons Street to Nethercott Street }			
Forrest Street, Footpath	100	0	0
Clearing and levelling Wilson Street, Lane Street, Lionel Street, Cheetham Street, Hanbury Street, George Street, and Mac- donald Street	100	0	0
Following Footpaths, 15 feet wide, gravelled and without kerbing:—			
Collins Street, North side, Charlotte Street to Russell Street	152	0	0
Wilson Street, West side, Hannan Street to George Street ...	100	0	0
Lane Street, East side, Hannan Street to George Street ...	100	0	0
Lionel Street, West side, Egan Street to George Street ...	80	0	0
Wittenoom Street, Lionel Street to Congdon Street	80	0	0
Lane Street, East side, from Forrest Street to Hannan Street...	60	0	0
Nethercott Street, West side, from Forrest Street to Hannan Street	60	0	0
Cotter Street, East side, from Hare Street to Ward Street...	60	0	0
Russell Street, East side, from Campbell Street to Collins Street	60	0	0
Parsons Street, East side, Bourke Street to Piccadilly Street...	40	0	0
Piccadilly Street, South side, Lionel Street to Nethercott Street	40	0	0
Piccadilly Street West, Footpath... ..	36	10	0
Maritana Street, Footpath, West side, between Piccadilly Street and Collins Street	20	0	0
Butler Street, Footpath and Clearing	97	0	0
Ward Street, Footpath and Clearing	94	10	0
Campbell Street, Footpath and Clearing	62	0	0
Addis Street, Footpath and Clearing	62	0	0
Hare Street, Footpath and Clearing	62	0	0
Victoria Street, between Croesus Street and Outridge Terrace	20	0	0
Outridge Terrace, Shamrock Street to Railway Line	20	0	0
Russell Street, Clearing between Bourke Street and Campbell Street	10	0	0
Parks and Reserves	157	0	0
Contingencies	296	0	0
	£15000	0	0

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXVI.

**AN ACT to amend the Law relating to the
Slander of Women.**

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. WORDS spoken and published, after the passing of this Act, which impute unchastity or adultery to any woman or girl shall not require special damage to render them actionable. Amendment of Law.

2. THIS Act may be cited as the Slander of Women Act, Short title.
1900.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXVII.

AN ACT to amend the Imperial Act 9th and 10th Victoria, Chapter 93 (adopted in Western Australia by the Act 12th Victoria, No. 21), for compensating the Families of Persons killed by Accident.

[Assented to, 5th December, 1900.]

WHEREAS by an Act passed in the Session of the Imperial Preamble.
Parliament, holden in the 9th and 10th years of Her Majesty's Reign, intituled "An Act for compensating the Families of Persons killed by Accident," it is amongst other things provided that every such action as therein mentioned shall be for the benefit of the wife, husband, parent, and child of the person whose death shall have been so caused as therein mentioned, and shall be brought by and in the name of the executor or administrator of the person deceased: And whereas it may happen, by reason of the inability or default of any person to obtain probate of the will or letters of administration of the personal estate and effects of the person deceased, or by reason of the unwillingness or neglect of the executor or administrator of the person deceased to bring such action as aforesaid, that the person or persons entitled to the benefit of the said Act may be deprived thereof, and it is expedient to amend and extend

Compensation to Families of Persons killed by Accident.

extend the said Act as hereinafter mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Where no action brought within six months by executor, then action may be brought by persons beneficially interested.

27 & 28 Vict.,
cap. 95, sec. 1.

1. IF and so often as it shall happen at any time or times hereafter, in any of the cases intended and provided for by the said Act 9th and 10th Victoria, Chapter 93, that there shall be no executor or administrator of the deceased, or that, there being such executor or administrator, no such action as in the said Act mentioned shall, within six calendar months after the death of such deceased person as therein mentioned, have been brought by and in the name of his or her executor or administrator, then and in every such case such action may be brought by and in the name or names of all or any of the persons (if more than one) for whose benefit such action would have been if it had been brought by and in the name of such executor or administrator; and every action so to be brought shall be for the benefit of the same person or persons, and shall be subject to the same regulations and procedure as nearly as may be as if it were brought by and in the name of such executor or administrator.

Money paid into Court may be paid in one sum, without regard to its division into shares. If sufficient and not accepted, defendant entitled to verdict on the issue.

Ibid., sec. 2.

2. AND whereas, by the second section of the said Act, it is provided that the jury may give such damages as they may think proportioned to the injury resulting from such death to the parties respectively for whom and whose benefit such action shall be brought, and the amount so recovered, after deducting the costs not recovered from the defendant, shall be divided between the before-mentioned parties in such shares as the jury shall by their verdict direct: Be it enacted and declared that it shall be sufficient, if the defendant is advised to pay money into Court, that he pay it as a compensation in one sum to all persons entitled under the said Act for his wrongful act, neglect, or default, without specifying the shares into which it is to be divided by the jury: And if the said sum be not accepted, and an issue is taken by the plaintiff as to its sufficiency, and the jury shall think the same sufficient, the defendant shall be entitled to the verdict upon that issue.

This and recited Act to be read as one.

3. THIS and the said Act 9th and 10th Victoria, Chapter 93, shall be read together as one Act.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XXXVIII.

AN ACT to enable the Fire Brigades Board to
issue Debentures.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parlia-
ment assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Fire Brigades Board
Debenture Act, 1900, and shall be incorporated with the Fire
Brigades Act, 1898, and the Act amending the same.

Short title and in-
corporation.

2. (1.) THE Fire Brigades Board may borrow any money which,
by any statute in that behalf, it is authorised to borrow, on the
security of debentures, charging the whole of the real and personal
estate, both present and future, of the Board with the repayment of
the moneys so borrowed, together with the interest thereon.

Fire Brigades Board
may borrow on
debentures.

(2.) Such debentures shall operate as a charge upon all the
real and personal estate, both present and future, of the Board,
notwithstanding that such debentures are not registered under any
Act or Acts now or hereafter in force.

(3.)

Fire Brigades Board Debentures.

(3.) Such debentures may be issued payable to bearer, and shall, when so issued, be transferable, subject to the conditions indorsed thereon, by delivery.

(4.) Such debentures may have attached thereto interest which may be made payable to bearer and transferable by

Page 532.

64 Vict., No. 38.—Sections 3 and 6 repealed by No. 12 of 1909.

Priorities of loans
and rank of debentures.

3. WHERE more than one loan is made upon the date of the loan. All debentures forming part of the same loan shall rank *pari passu*.

Lender need not
inquire into applica-
tion of moneys.

4. NO person advancing money to the Board shall be bound to inquire into the application of the money advanced or be responsible for the non-application or mis-application thereof.

Realisation of loan
moneys.

5. (1.) IF the Board makes default in payment of the principal or any instalment of interest secured by any debenture, the holder thereof may, subject to the conditions indorsed on the debenture, on behalf of himself and all other debenture holders, take all usual legal proceedings to recover payment and realise thereunder, and in addition thereto may obtain from the Supreme Court or a Judge thereof the appointment of a Receiver of the real and personal estate of the Board charged by the said debenture and also of the income and revenue of the Board.

(2.) The said Court or a Judge thereof may order a sale of the whole or any part of the real and personal estate so charged, and may order payment of such debentures out of such part of the sinking fund as may be applicable to such debentures, and order the realisation of any securities forming such fund.

Sinking fund.

6. (1.) A SINKING fund shall, as and when required by the Colonial Treasurer, be created by the Board for the repayment of each loan in accordance with such conditions as may be prescribed by the Governor.

(2.) All sums paid into such sinking fund shall be forthwith invested in the joint names of the Board and the Colonial Treasurer in such securities as trustees are by law for the time being entitled to invest in, and all dividends and annual sums from such investments shall be paid into and form part of such sinking fund and be invested in like manner.

(3.) Such sinking fund in connection with any loan shall be used for the purposes of the said loan and for no other purpose whatever.

(4.)

Fire Brigades Board Debentures.

(4.) The Board shall keep an account of all moneys and investments for the time being forming part of such sinking fund, and shall permit any debenture holder to inspect such accounts.

(5.) If the Board fails to comply with the provisions of this section, any debenture holder may, on behalf of himself and all other debenture holders, apply to the Supreme Court or any Judge thereof to enforce observance of such provisions.

7. THE loan of eight thousand pounds heretofore raised by the Board may be secured by debentures issued under this Act. Existing loan.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Page 535.

64 Vict., No. 39.—Not assented to.

the Patent Act (Amendment), 1892.

[*Reserved, 5th December, 1900.*]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Patent Act (Amendment), 1900.

Short title.

2. NO letters of registration granted by the Governor to any person under the powers conferred upon him by an Act of the thirty-sixth year of Her present Majesty, No. 1, or section forty-nine of the Patent Act, 1888, or section two of the Patent Act (Amendment), 1892, shall inure or be valid and effective beyond the term mentioned in the original letters in respect of which such letters of registration were granted, and an extension of the term of the original

Letters of registration not to inure beyond term of original patent on extension of term in other countries.

Patent Act—Amendment.

original letters patent in the country or colony where the same were granted shall not be deemed a continuance of the original letters patent.

Petitions for extension need not be referred to Court.

3. IT shall not be incumbent on the Governor to refer any petition for the extension of the term of a patent to the Supreme Court, and the Governor may, in his absolute discretion, and without assigning any reason, refuse the prayer of the petition.

I hereby reserve this Bill for the signification of Her Majesty's pleasure thereon.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XL.

AN ACT to repeal an Act of the Sixty-second year of Her Majesty, and numbered eighteen, intituled "An Act to vest certain land at Coolgardie in the Municipality of Coolgardie, for a Mining Exhibition and other purposes."

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THE Act passed in the Sixty-second year of Her Majesty, and numbered eighteen, intituled "An Act to vest certain land at Coolgardie in the Municipality of Coolgardie, for a Mining Exhibition and other purposes," is hereby repealed.

Repeal of 62 Vict.,
No. 18.

2.

Coolgardie Mining Exhibition.

Coolgardie Town Lot
1911 revested in the
Crown.

See 60 Vict. 22, s. 6.

2. THE land described in the Schedule of the said Act hereby repealed, to wit, Coolgardie Town Lot 1911, containing five acres three roods and eight perches, is hereby revested in Her Majesty as of her former estate, and the Registrar of Titles shall cancel the certificate of title of the said land, and shall call in the duplicate thereof, and the Council of the Municipality of Coolgardie shall deliver the same up to the Registrar of Titles, and the land, the subject of the said certificate, shall thereupon be removed from the operation of the Transfer of Land Act, 1893, and may be regranted by Her Majesty.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLI.

AN ACT to authorise the construction of a Loop Line of Railway from the Hannan's Street Station, Kalgoorlie-Gnumballa Lake Railway, to the Kamballie Station, on the same Railway.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Brown Hill Loop Kalgoorlie-Gnumballa Lake Railway Act, 1900.

Short title.

2. IT shall be lawful to construct and maintain a line of railway from the Hannan's Street Station, on the Kalgoorlie-Gnumballa Lake Railway, to the Kamballie Station, on the same Railway, with all necessary, proper, and usual works and conveniences in connection therewith, along the line described in the Schedule to this Act.

Authority to construct.

3.

Brown Hill Loop, Kalgoorlie-Gnumballa Lake Railway.

Deviation.

3. NOTWITHSTANDING anything contained in the Railways Act of 1878, it shall be lawful for the Commissioner of Railways to deviate from the line as described in such Schedule to the extent of one mile on either side thereof.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE.

BROWN HILL LOOP, KALGOORLIE-GNUMBALLA LAKE RAILWAY.

DESCRIPTION OF LINE OF RAILWAY.

Commencing at a point at or near the Hannan's Street Station, on the Kalgoorlie-Gnumballa Lake Railway, and proceeding thence in a generally South-South-Easterly direction for about $4\frac{1}{2}$ miles, and terminating at a point at or near the Kamballie Station, on the Kalgoorlie-Gnumballa Lake Railway, as more particularly delineated by a red line on Map marked P.W.D., W.A., 7119 deposited as provided for by 55° Victoriæ, No. 34, Section 10.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLII.

AN ACT to confirm a Provisional Order
authorising the Construction of Tramways
in the Municipality of Leederville.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parliament
assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Leederville Tramways Act, 1900. Short title.

2. THE term "Local Authority," when used in this Act or in
the Tramways Act, 1885, shall mean the council of any municipality
declared and proclaimed or constituted under the provisions of the
Municipal Institutions Act, 1895, or other board, council, trustees,
or persons in whom a road, as defined by the Tramways Act, 1885, is
vested, or who have the power to maintain or repair such road. Interpretation.

3. THE Provisional Order made by the Commissioner of
Railways for Western Australia on the 10th day of October, 1900,
and set forth in the Schedule to this Act, is hereby confirmed. Confirmation of Pro-
visional Order.

4.

Leederville Tramways.

Power to construct
Tramways.

4. SUBJECT to the provisions of the Tramways Act, 1885, the Promoter named in the said Provisional Order, and its assigns, may make, form, lay down, construct, maintain, and work the Tramways set forth in the said Provisional Order.

Schedule incorpor-
ated.

5. THE Schedule shall form part of this Act.

Saving rights of the
Municipality of
Leederville.

6. NOTHING herein contained shall prejudice or affect a certain agreement dated the second day of July, 1900, and made between the Mayor, Councillors, and Ratepayers of the Municipality of Leederville of the one part, and the Promoter of the other part. except so far as the same is contrary to or in conflict with the provisions of this Act or the Tramways Act, 1885.

Power for Local
Authority to connect
with and acquire
running powers over
Tramways.

7. IF at any time hereafter any Local Authority shall require to connect with and to acquire running powers over the Tramways authorised by this Act, the terms and conditions upon which it shall be lawful so to do shall be referred to arbitration, under the provisions of the Arbitration Act, 1895, and shall be determined by the award, and it shall be lawful for any Local Authority interested to be represented at and to take part in the arbitration.

Power for Commis-
sioner of Railways
to make lines cross-
ing tramway.

8. IT shall at all times hereafter be lawful for the Commissioner of Railways and for any person acting with his authority to construct, maintain, and use lines of railway crossing the said tramways at any points, and whenever any such line of railway shall have been so constructed the Commissioner of Railways may require the Promoter and the assigns of the Promoter, at their own cost, to erect a suitable bridge over such railway for the tramway traffic.

Protection of tele-
phone service from
injury by tramways.

9. WHENEVER any telephone service is erected prior to the construction of the tramways, and is prejudicially affected by the construction or working of the tramways, the Postmaster General may, at the cost of the Promoter and his assigns, do all such things as may be necessary to protect the telephone service from being so affected, either by placing the same on a metallic circuit system or otherwise.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Leederville Tramways.

THE SCHEDULE.

PROVISIONAL ORDER.

WHEREAS TEAMWAYS SYNDICATE, LIMITED, whose registered office is at Trustee Chambers, in Barrack Street, Perth, a Company within the meaning of the expression "The Promoters," as defined by "The Tramways Act, 1885," Section three, Sub-section two, has made application to me for a Provisional Order authorising the construction of Tramways in the Municipality of Leederville, along the routes specified in the Schedule hereunder written: AND WHEREAS the Promoter has published notice of its intention to make such application, in the form prescribed in the Schedule "B" annexed to "The Tramways Act, 1885," by advertisement in the *Government Gazette*, and in the *West Australian* and *Morning Herald* newspapers, and has deposited the documents described in Schedule "C" annexed to the same Act at the Department of Public Works, Perth, and with the Town Clerk of Leederville: AND WHEREAS I have considered the said application, and it appears to me expedient and proper that the said application should be granted: Now, THEREFORE, I, the undersigned, Commissioner of Railways for Western Australia, do hereby, by virtue of the provisions of "The Tramways Act, 1885," make a Provisional Order, and I do order as follows, that is to say:—

1. The Promoter shall be, and is hereby empowered to make, form, lay down, construct, maintain, and work Tramways in, upon, and along such of the streets and roads, in the Municipality of Leederville as are mentioned in the said Schedule hereunder written: PROVIDED, NEVERTHELESS, that notwithstanding anything herein contained it shall be lawful for the Commissioner of Railways, at any time within six months from this date, by notice, in writing, to the Promoter, delivered at its registered office for the time being, to prohibit the construction of any part or parts of the said Tramway which, in the opinion of the Commissioner of Railways, may interfere with the railway system.

2. The Promoter shall, within nine months after the confirmation of this Provisional Order, or within such extended time as the Commissioner of Railways and Local Authority may approve, substantially commence the works in connection with the said Tramways, and complete the first section thereof, namely, from the Loftus Street boundary of the City of Perth, along Newcastle Street and Oxford Street to Bourke Street, within 12 months of such commencement; and the second section thereof, namely, from Bourke Street, along Oxford Street to Government Road, within 18 months of the completion of the first section thereof.

3. The Promoter shall, within two years from the passing of the Act of Parliament confirming this Provisional Order, purchase all such freehold lands, and acquire all such leasehold lands with the right of purchase, as shall be required for the purpose of working the said Tramways, and shall forthwith, after such purchase, notify to the Local Authority the price paid for such freehold and leasehold lands; and all buildings and works required or used in connection with the Tramways shall be erected on freehold lands, or leasehold lands with the right of purchase.

4. The said Tramways shall be constructed on the 3ft. 6in. gauge.

5.

Leederville Tramways.

5. The roads of all the lines shall be properly macadamised by the Promoter for a width of 6ft. 6in. for single lines and 16ft. for double lines, and shall be kept in thorough repair, to the level of the rails, by the Local Authority until the Local Authority shall have macadamised its roads on each side of the tram route up to the kerbs of the footpaths, and thereafter shall be kept in such repair as aforesaid by the Promoter.

6. The said Tramways shall be laid with steel rails.

7. The said Tramways shall be used for the conveyance or carriage of passengers only.

8. The Promoter may demand and take, for every passenger conveyed upon the said Tramways, any tolls and charges not exceeding in amount the sum of threepence for any single fare on a single journey from or to the Perth Town Hall and the end of Oxford Street at Government Road: PROVIDED ALWAYS, that the Promoter shall, as and when required by the Local Authority, provide special cars for workmen between the hours of 6 and 8 a.m., and 5 and 6.30 p.m., and all workmen travelling upon such special cars between the said hours in the morning shall, on payment of a fare not exceeding threepence, be provided with return tickets from or to the Perth Town Hall and the end of Oxford Street at Government Road, the return portion whereof shall be available for use on workmen's cars between the said hours of 5 and 6.30 p.m.: PROVIDED ALSO, that every passenger travelling on the said Tramways to the Perth Town Hall shall be entitled, on payment of an additional fare of one penny, to continue his or her journey on the tramcars from the Perth Town Hall to any place within the limits of the boundaries of the City of Perth along the tramway track.

9. The restrictions herein contained as to tolls and charges which the Promoter may demand and take for the conveyance or carriage of passengers shall not extend to any special cars other than workmen's cars, but shall apply only to workmen's cars and to the ordinary cars appointed by the Promoter from time to time for the conveyance of passengers.

10. The tolls and charges authorised to be taken, and which shall be demanded by the Promoter, shall be paid to such persons and at such places upon or near the Tramways, and in such manner and under such Regulations as the Promoter shall appoint by notice to be exhibited in some conspicuous place on the inside of each of the passenger cars used by the Promoter upon the said Tramways.

11. Every passenger travelling upon the Tramways may take with him ordinary personal luggage or goods belonging to him, not exceeding in weight 20lbs., without any charge being made for the carriage thereof.

12. All cars used on the said Tramways shall be moved by electric power, and the Promoter may erect and maintain all such poles and posts, with wires attached thereto, in the said streets mentioned in the said schedule hereunder written, along the routes therein mentioned, as may be necessary or required for supplying electricity to the said cars, and for working the said Tramways on the overhead trolley system: Provided that the Commissioner of Railways shall be entitled to direct the alteration of position of any pole, or post, or wire if it appears to him that the same is specially inconvenient, and could be made less inconvenient without great cost to the Promoter, and in the event of such direction being given by the said Commissioner of Railways, the Promoter shall comply with it without delay.

13. All cars using the said Tramways may travel at a speed not exceeding the rate of 10 miles an hour, and may follow after each other at distances of not less than 50 yards, and may stop at any point on the said Tramways, except on crossings of streets, for the purpose of taking up and setting down passengers, and may stand at the terminus of any of the said Tramways.

Leederville Tramways.

14. Cars shall be run at intervals of not more than 20 minutes between the hours of 6 a.m. and 11:30 p.m.

15. The said Tramways shall be constructed in accordance with the drawings herewith (subject to provisos herein contained), with double or single lines, as the case may be, and in the case of single lines the Promoter shall be at liberty to lay them down either in the centre of the road or on either side thereof, but the Commissioner of Railways may, from time to time, upon the application of the Promoter, alter or vary the same, or authorise or require the Promoter to alter or vary the same.

16. All additional plans and specifications required in connection with the carrying out of the works shall be submitted to the Commissioner of Railways, and all work shall be carried out and finished to his entire satisfaction.

17. The Promoter may, from time to time, make and enter into and carry into effect contracts, agreements, and arrangements with any person, Corporation, or Company for or with reference to the use by such other person, Corporation, or Company of the said Tramways, or portion thereof, and for prescribing and regulating the tolls and charges to be paid for such use, and the terms and conditions of such use, and all matters incidental thereto.

18. The term "the Promoter," whenever hereinbefore used, shall mean and include the Tramways Syndicate, Limited, and its assigns, wherever the context so requires or admits.

SCHEDULE ABOVE REFERRED TO.

1. From the Loftus Street boundary of the City of Perth, along Newcastle Street and Oxford Street, to Bourke Street.
2. From Bourke Street, along Oxford Street, to Government Road.

Given under my hand this 10th day of October, 1900.

B. C. WOOD,

Commissioner of Railways.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Page 547. 64 Vict., No. 43.—See 1 & 2 Edwd. VII., No. 10.

Page 547. 64 Vict., No. 43.—See W.A. Law Reports, Vol. V., p. 49.

or persons in whom a road, as denoted by the Tramways Act, 1885,
is vested, or who have the power to maintain or repair such road.

3.

Kalgoorlie Tramways.

Confirmation of Provisional Order.

3. THE Provisional Order made by the Commissioner of Railways for Western Australia on the 18th day of December, 1899, and set forth in the Schedule to this Act, is hereby confirmed.

Power to construct tramways.

4. SUBJECT to the provisions of the Tramways Act, 1885, the Promoter named in the said Provisional Order and his assigns, hereinafter called the Promoter, may make, form, lay down, construct, maintain, and work the tramways set forth in the said Provisional Order.

Schedule incorporated.

5. THE Schedule hereto shall form part of this Act.

Saving rights of Municipality of Kalgoorlie.

6. NOTHING herein contained shall prejudice or affect a certain agreement dated the 18th day of October, 1899, and made between the Council and Burgesses of the Town of Kalgoorlie of the one part and the Promoter of the other part, except so far as the same is contrary to or in conflict with the provisions of this Act or the Tramways Act, 1885.

Power for Local Authority to connect with and acquire running powers over tramways.

7. IF at any time hereafter any Local Authority shall require to connect with and to acquire running powers over the tramways authorised by this Act, it shall be lawful to do so upon terms and conditions settled by agreement, in writing, by the parties, and in default of such agreement, or so far as such agreement does not extend, upon terms and conditions settled by arbitration.

If, within twenty-eight days after notice served on the Promoter by the Local Authority requiring the Promoter to agree to the terms and conditions, the parties fail to come to an agreement, such notice shall, on the expiration of such twenty-eight days, operate as if it were a submission executed by both parties, referring to an arbitrator or arbitrators to settle by his or their award the terms and conditions so far as not agreed upon.

Protection of telephone service from injury by tramways.

8. WHENEVER any telephone service is erected prior to the construction of the tramways, and is prejudicially affected by the construction or working of the tramways, the Postmaster General may, at the cost of the Promoter and his assigns, do all such things as may be necessary to protect the telephone service from being so affected, either by placing the same on a metallic circuit system or otherwise.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

THE

Kalgoorlie Tramways.

THE SCHEDULE.

PROVISIONAL ORDER.

WHEREAS ERNEST EDWARD ROGERS, of Trustee Chambers, Barrack Street, Perth, in the Colony of Western Australia, gentleman, a person within the meaning of the expression "the Promoters," as defined by the Tramways Act, 1885, section three, sub-section two, has made application to me for a Provisional Order authorising the construction of tramways in the Municipality of Kalgoorlie, along the routes specified in the Schedule hereunder written; AND WHEREAS the said ERNEST EDWARD ROGERS has published notice of his intention to make such application in the form prescribed in the Schedule "B" annexed to the Tramways Act, 1885, by advertisement in the *Government Gazette* and in the *Kalgoorlie Miner* newspaper, and has deposited the documents described in Schedule "C" annexed to the same Act at the Department of Public Works and with the Town Clerk of Kalgoorlie: AND WHEREAS I have considered the said application, and it appears to me expedient and proper that the said application should be granted: NOW THEREFORE I, FREDERICK HENRY PIESSE, the Commissioner of Railways for Western Australia, do hereby, by virtue of the provisions of the Tramways Act, 1885, make a Provisional Order, and I do order as follows, that is to say:—

1. The Promoter shall be and is hereby empowered to make, form, lay down, construct, maintain, and work tramways in, upon, and along such of the streets and roads in the Municipality of Kalgoorlie as are mentioned in the said Schedule hereunder written, along the routes prescribed in such Schedule: Provided, nevertheless, that notwithstanding anything herein contained it shall be lawful for the Commissioner of Railways, at any time within six months from the date of this order, by notice, in writing, to the said Ernest Edward Rogers delivered at his address as aforesaid, to prohibit the construction of any part or parts of the said tramway which, in the opinion of the Commissioner of Railways, may interfere with the railway system.

2. The Promoter shall, within nine months after the confirmation of this Provisional Order, or within such extended time as the Commissioner of Railways and the Local Authority may approve, substantially commence the works in connection with the said Tramways, and complete the Hannan and Wilson Streets section thereof within six months of such commencement.

3. The Promoter shall, within two years from the passing of the Act of Parliament confirming this Provisional Order, purchase the freehold of, or lease with the right of purchase, all such lands as shall be required for the purpose of working the said Tramways, and shall forthwith after such purchase (which shall first be approved of by the Local Authority) notify the Local Authority, in writing, the price paid for such freehold and leasehold lands; and all buildings and works required or used in connection with the Tramways shall be erected on freehold lands or leasehold lands with the right of purchase.

4. The said Tramways shall be constructed on the 3ft. 6in. gauge.

5. The said Tramways shall be laid with steel rails approved by the Local Authority.

6. The said Tramways shall be used for the conveyance or carriage of passengers only.

7. The Promoter may demand and take, for every passenger conveyed upon the said Tramways, any tolls and charges not exceeding in amount the sum of sixpence for any single fare on a single journey: PROVIDED that the fares in

Hannan

Kalgoorlie Tramways.

Hannan Street shall not at any time exceed threepence for a single journey: AND PROVIDED also that the promoter shall, as and when required by the Local Authority, provide special cars for workmen between the hours of 6 and 8 a.m. and 5 and 6:30 p.m., and all persons travelling on such cars between the said hours in the morning shall, on payment of a fare not exceeding the cost of a single fare, be provided with return tickets, the return portion whereof shall be available for use on similar cars between the said hours of 5 and 6:30 p.m.

8. The restrictions herein contained as to tolls and charges which the promoter may demand and take for the conveyance or carriage of passengers shall not extend to any special car (other than workmen's cars), but shall apply only to workmen's cars and to the ordinary cars provided by the promoter from time to time for the conveyance of passengers.

9. The tolls and charges authorised to be taken, and which may be demanded by the promoter, shall be paid to such persons and at such places upon or near the Tramways, and in such manner and under such regulations as the promoter shall appoint by notice to be exhibited in some conspicuous place in the inside of each of the cars used by the promoter upon the said Tramways; and after the expiration of five years from the opening of the said Tramways for traffic, such tolls and charges may be revised from time to time by the Local Authority and the promoter, and, in case of difference, shall be fixed by the Commissioner of Railways, or in such other manner as may be agreed upon by the Local Authority and the promoter; but no fare on any portion of the Tramways be at any time less than threepence, except as aforesaid.

10. Every passenger travelling upon the tramways may take with him ordinary personal luggage belonging to him, not exceeding in weight 20lbs., without any charge being made for the carriage thereof.

11. All cars used on the said tramways shall, during the first fifteen months from the date of the confirmation of this Provisional Order, be moved either by horse or electrical power, or by other power approved of by the Local Authority; and shall, after the said period of fifteen months, be moved by electrical power, or by other power approved of by the Local Authority; and the Promoter may erect and maintain all such poles and posts, with or without wires attached thereto, in the said streets mentioned in the said Schedule hereunder written, along the routes therein mentioned, as may be necessary or required for supplying electricity on the overhead trolley system, or in connection with other power as aforesaid, to the said cars and for working the said tramways. The poles and the positions of the same to be approved by the Local Authority.

12. During the first five years after the opening of the said tramways for traffic the time-table and fares to be observed for running cars upon each of the aforesaid routes shall be adjusted from time to time by the Promoter to meet the local conditions and requirements of the public, not being less than twelve trams per diem. After the expiration of the said period of five years the time-table shall be decided upon between the Local Authority and the Promoter, and, in case of difference, shall be fixed by the Commissioner of Railways, whose decision shall be final.

13. The said tramways may be constructed with single or double lines, as may be agreed upon between the Local Authority and the Promoter.

14. All plans and specifications in connection with the carrying out of the works shall be submitted to the Town Surveyor for his report, and to the Local Authority for approval, and all work shall be carried out and finished to the entire satisfaction of the Local Authority and their Surveyor or Engineer.

15. The provisions of the agreement, dated the 18th day of October, 1899, and made between the Council and Burgesses of the Town of Kalgoorlie, of the one part, and the said Ernest Edward Rogers of the other part, as to the payment by the Promoter of the ruling rate of wages, and Clauses D, H, I, J, K, L, and M of the said agreement, are incorporated with this Provisional Order as if the said provisions were expressed.

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16. (a.) The Promoter shall supply cross-sections in accordance with the Act forthwith.
 - (b.) The curve from Section 1 to Section 2, Hannan Street to Maritana Street, to be shown on Plan P.W.D., W.A., 7143.
 - (c.) Section No. 2.—Figures showing distance of side of track from kerb on Sheet No. 1 (P.W.D., W.A., 7144) to be corrected. They should be 38ft. 8in., not 48ft. 3in.
 - (d.) The poles carrying the feeder cables to be in the centre of the streets on all sections except No. 4 Section (wherein they are to be as shown on cross sections on P.W.D., W.A., 7146) and not slightly on one side, as shown on P.W.D., W.A., 7948, Sheet 2, and the tracks, both main line and passing sidings, must be so spaced as to leave a clear width of 3ft. between the said poles and the sides of the cars, that is to say, assuming the diameter of the poles to be 1ft., the centre of the tracks on each side should be not less than 7ft. 8in. from the centre of the poles.
 - (e.) The spans between the poles not to exceed 120ft.
 - (f.) The voltage of the current supplied not to exceed 600 volts without the approval of the Local Authorities.
 - (g.) Height of cables and trolley wire above street not to be less than 19ft. without the approval of the Local Authorities.
 - (h.) If any cables are erected close to any balcony or building, provision must be made to prevent the possibility of any such cables actually touching and making earth with the verandahs, etc., and provision must also be made for protecting any person standing on a balcony or verandah from accidentally touching the cables. No cable carrying a voltage of from 500 to 600 volts to be placed closer to any building or verandah or balcony than 3ft., and, wherever possible, cables to be on a level with the floor or roof of the verandah or balcony.
 - (i.) In the event of fire or any other serious accident, the Local Authorities, Fire Brigade, or Police to have power to order the supply of current to be discontinued at any place, in order to avoid the danger or accident to firemen, etc., carrying out their duties; and the Tramway Company shall have no claim for compensation for loss of traffic or damage.
 - (j.) Where a trolley wire is supported by a span wire, the span wire to be insulated at both ends of the poles, in addition to the usual insulation between the span wire and the trolley wire.
 - (k.) No wire, cable, pole, stay, or other fixing to be erected closer than 3ft. from any telegraph or telephone wire, cable, pole, stay, or fixing, without the permission of the Government.
 - (l.) Each car to be provided with circuit-breakers or cut-out switches at each end of the car, so that the whole current can be cut off from either end of car independently.
 - (m.) Fenders of approved form to be fitted to both ends of each car.
 - (n.) Before any work is commenced beyond the laying of the track, detailed plans and specifications of the whole of the electrical installation machinery, buildings, and works, together with detailed drawings of the rolling stock, shall be submitted to the Commissioner of Railways for his approval.
17. On the signing of this Provisional Order the Promoter shall pay, as a deposit, into the hands of the Colonial Treasurer the sum of £3,250; and in the event of the said deposit not being paid, the powers given by this Provisional Order to the Promoter for constructing the said tramways shall cease to be exercisable

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exercisable unless the time be prolonged by direction of the Governor in Council. The said deposit shall be held by the Colonial Treasurer until the tramways included in the said Schedule hereunder written are in working order and open for traffic, when the same shall be returned to the Promoter with accrued interest (if any).

18. The Promoter may, at any time, with the consent of the Governor and of the Local Authority (such consent of the Local Authority not to be unreasonably or arbitrarily withheld) sell or transfer the said undertaking and tramways to any person, persons, Corporation, Company, or to the Local Authority; and where any such sale or transfer has been made, all the rights, powers, authorities, obligations, and liabilities of the Promoter in respect of the said undertaking and tramways, shall be transferred to, vested in, and may be exercised by and shall attach to the person, persons, Corporation, Company, or Local Authority to whom the same has been sold or transferred, in like manner as if such tramways were constructed by such person, persons, Corporation, Company, or Local Authority, under the powers conferred upon them by this Provisional Order and by the Act of Parliament confirming the same, and in reference thereto they shall be deemed to be the Promoters.

19. The Promoter and any person, Corporation, and Company may from time to time make and enter into and carry into effect contracts, agreements, and arrangements for or with reference to the use by such other persons, Corporation, or Company of the said tramways or portion thereof, and for prescribing and regulating the tolls and charges to be paid for such use, and the terms and conditions of such user, and all matters incidental thereto.

20. The term "the Promoter," whenever hereinbefore used, shall mean and include the said Ernest Edward Rogers and his executors, administrators, and permitted assigns, whenever the context so requires or admits.

SCHEDULE REFERRED TO IN THE PROVISIONAL ORDER.

1. From the junction of Egan Street and Outridge Terrace along Outridge Terrace to Hannan Street, along Hannan Street to the Western end of Hannan Street to Throssell Street.
2. From the junction of road at Hannan and Wilson Streets to and across Forrest Street, opposite Railway Station.
3. From the junction of Hannan and Maritana Streets along Maritana Street to Varden Street.
4. From the junction of Maritana and Collins Streets along Collins Street to the end thereof, at the Government Reserve 4557.
5. From the junction at Hannan and Lane Streets along Lane Street to the junction of Lane and Macdonald Streets; thence along Macdonald Street to the junction of Macdonald and Lionel Streets; thence along Lionel Street to the City boundary joining Gala Road.
6. From the junction of Hannan and Maritana Streets along Maritana Street and Boulder Road to the municipal boundary line.
7. From the junction of Hannan and Nethercott Streets along Nethercott Street to Macdonald Street, and thence along Macdonald Street to the Racecourse entrance.

Route No. 1 to be a double line from Hannan Street Railway Station along Outridge Terrace and Hannan Street to Wilson Street.

As witness my hand this 18th day of December, 1899.

F. H. PIESSE,
Commissioner of Railways.

CLAUSES

*Kalgoorlie Tramways.*CLAUSES D, H, I, J, K, L, AND M, REFERRED TO IN PARAGRAPH 15
OF FOREGOING PROVISIONAL ORDER.

(D.) That the Promoter shall, at his own expense, at all times maintain and keep in good condition and repair, with such materials and in such manner as the Local Authority shall direct, and to their satisfaction, so much of any road whereon any tramway belonging to him is laid as lies between the rails of the tramway and (where two tramways are laid by the same Promoter in any road at a distance of not more than four feet from each other) the portion of the road between the tramways, and in every case so much of the road as extends 18 inches beyond the rails of and on each side of any such tramway. If the Promoter abandons his undertaking or any part of the same, and takes up any tramway or any part of any tramway belonging to him, he shall, with all convenient speed, and in all cases within four weeks at the most (unless the Local Authority otherwise consent in writing) fill in the ground and make good the surface, and, to the satisfaction of the Local Authority, restore the portion of the road upon which such tramway was laid to as good a condition as that in which it was before such tramway was laid thereon, and clear away all surplus paving or metalling material or rubbish occasioned by such work; and he shall, in the meantime, cause the place where the road is opened or broken up to be fenced and watched and properly lighted at night in the same manner as prescribed in Clause 20 of this Act, viz., the Tramways Act, 1885.

(H.) All road metal lifted or broken by the Promoter in the course of any authorised work may be used by the Promoter so far as he needs it for relaying and reconstructing, but in no case is the Promoter to remove such material, except for tramway purposes on the route under construction. All surplus metal on each separate route shall belong to and become the property of the Local Authority, and shall be cleared away by the Promoter, and deposited at such places as the Local Authority may direct within the Municipality.

(I.) The Local Authority shall have the right to use all the tramway lines between the hour of midnight and 5 a.m. for the purpose of running scavenger or other trucks, or distributing road metal, or any other works; provided that the lines are not required by the Promoter between those hours for the purpose of any repair, and that eight hours' previous notice shall be given to the Local Authority by the Promoter that he so requires the lines: Provided always, that, in the event of any damage being done to the lines by the Local Authority, such damage shall be made good at the expense of such Local Authority: Provided further, that all scavenger or other trucks to be used by the Local Authority as aforesaid shall be first submitted and approved of by the Promoter.

(J.) The Local Authority shall have the right to use all poles belonging to the Promoter for the purpose of street lighting; such poles to be approved of by the Local Authority before being erected. The position of such poles shall also be decided by the Local Authority, provided that, by so doing, it will not interfere with the Promoter's lines or wires or electric current, or any other power used; and provided, also, that not more than one lamp shall be placed on each pole.

(K.) The Promoter shall pay to the Local Authority 3 per cent. of the gross earnings derived from the working of the tramways, in accordance with Section 46 of the Tramways Act, 1885, such payment to be accepted in lieu of all municipal rates and taxes now levied or hereafter to be levied which the Local Authority but for this agreement would be entitled to impose or levy in respect of the tramway lines of all lands, buildings, or workings used exclusively in connection with the workings thereof. Such amount shall be calculated and paid quarterly: Provided that nothing shall be payable under this clause by the Promoter until three years from the granting of the Provisional Order.

(L.) The Local Authority shall have the right, at the end of twenty-one years from the date fixed for the completion of the works by the Provisional Order, upon giving six calendar months' notice of such their intention, to purchase
the

Kalgoorlie Tramways.

the whole of the lines, plant, rights, undertakings, lands, and buildings of the Promoter. The price to be paid by the Local Authority shall be the value of the whole tramway system within the municipality, and shall be ascertained by arbitration in manner provided by the Arbitration Act, 1895; provided that, in estimating the amount so to be paid, all freehold and leasehold lands shall be valued at the actual price paid by the Promoter for the same without interest, and nothing shall be allowed for the goodwill, nor shall the proceeds or earnings be considered in any way.

(M.) If the Local Authority shall not exercise the right of purchase mentioned in the preceding clause hereof, then at the end of thirty-five years from the date fixed for the completion of the works by the Provisional Order, the whole of the tram lines mentioned in the schedule hereto, together with all extensions thereof, if granted, and together with the entire undertaking, rights, plant, workings, freehold and leasehold lands, and buildings within the municipality used in connection therewith, shall be handed over to the Local Authority in good working order and condition, and free from all liens, mortgages, or other encumbrances, on the following terms, that is to say, as to all the present proposed lines and all extension should they be granted, made within ten years after the date fixed for the completion thereof, upon payment of the actual price without interest paid by the Promoter for the said freehold and leasehold lands, and as to all extensions which may be approved of and made after the said period of ten years, upon payment of the amount fixed by arbitration in the manner provided by the Arbitration Act now in force in the Colony: Provided that nothing shall be allowed for the goodwill, proceeds, or earnings of the said extensions.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLIV.

AN ACT to confirm a Provisional Order
authorising the Construction of Tramways
in the Town of Fremantle.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parlia-
ment assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Town of Fremantle Tramways
Act, 1900. Short title.

2. THE Provisional Order made by the Commissioner of
Railways for Western Australia on the 11th day of October, 1900,
and set forth in the Schedule of this Act, is hereby confirmed. Confirmation of Pro-
visional Order.

3. SUBJECT to the provisions of the Tramways Act, 1885, the
Promoters named in the said Provisional Order and its assigns may
make, form, lay down, construct, maintain, and work the Tramways
set forth in the said Provisional Order. Power for Promoters
to construct, main-
tain, and work tram-
ways.

4.

Fremantle Tramways.

Power for Commissioner of Railways to make lines crossing tramways.

4. IT shall at all times hereafter be lawful for the Commissioner of Railways, and for any person acting with his authority, to construct, maintain, and use lines of railway crossing the said tramways at any points; and whenever any such line of railway shall have been so constructed, the Commissioner of Railways may require the Promoters, at their own cost, to erect a suitable bridge over such railway for the tramway traffic.

Schedule part of Act.

5. THE Schedule shall form part of this Act.

Protection of telephone service from injury by tramways.

6. WHENEVER any telephone service is erected prior to the construction of the tramways, and is prejudicially affected by the construction or working of the tramways, the Postmaster General may, at the cost of the promoter and his assigns, do all such things as may be necessary to protect the telephone service from being so affected, either by placing the same on a metallic circuit system or otherwise.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

Fremantle Tramways.

THE SCHEDULE.

PROVISIONAL ORDER.

WHEREAS the ELECTRIC SUPPLY COMPANY OF WESTERN AUSTRALIA, LIMITED, a Company within the meaning of the expression "the Promoters," as defined by the Tramways Act, 1885, Section 3, Sub-section 2, has made application to me for a Provisional Order authorising the construction of Tramways in the Municipality of Fremantle along the routes specified in Schedule "A" hereunder written: AND WHEREAS the said Electric Supply Company of Western Australia, Limited, has given public notice of its intention to make such application in the form prescribed in the Schedule "B" annexed to the Tramways Act, 1885, by advertisement in the *Government Gazette* and in the *Morning Herald* newspaper, and has deposited the documents described in Schedule "C," annexed to the same Act, at the Department for Public Works and with the Town Clerk of Fremantle: AND WHEREAS I have considered the said application, and it appears to me expedient and proper that the said application should be granted: Now THEREFORE I, Barrington Clarke Wood, the Commissioner for Railways for Western Australia, do hereby, by virtue of the provisions of the Tramways Act, 1885, make a Provisional Order, and I do order as follows, that is to say:—

1. The Promoter shall be and is hereby empowered to make, form, lay down, construct, maintain, and work tramways in, upon, and along such of the streets and roads in the Municipality of Fremantle as are mentioned in the said Schedule "A" hereunder written: Provided nevertheless that, notwithstanding anything herein contained, it shall be lawful for the Commissioner of Railways at any time within six months, by notice in writing to the Promoter delivered at its registered office for the time being, to prohibit the construction of any part or parts of the said tramway which, in the opinion of the Commissioner of Railways, may interfere with the railway system.

2. The period of time for which this Provisional Order shall be in force shall be forty-two years from the date on which the same shall be confirmed by an Act of Parliament as provided by Section 13 of the Tramways Act, 1885.

3. The Promoter shall, within one year from the confirmation of this Provisional Order, or within such extended time as the Commissioner of Railways and the Local Authority may approve, substantially commence, and thereafter, in a proper and workmanlike manner, continuously carry on, construct, complete, and furnish and equip the works, tramways, motors, cars, lines, machinery, and plant of all kinds in connection therewith, so that the same shall be completed and ready for use, and running and open for public traffic within two years from the confirmation of this Provisional Order, or within such extended time as the Commissioner of Railways and the Local Authority may approve.

4. Nothing herein contained shall prejudice or affect a certain agreement, dated the 28th day of December, 1899, and made between the Mayor, Councillors, and Burgesses of the Town of Fremantle of the one part and the Promoter of the other part, except so far as the same is contrary to or in conflict with the provisions of this Order or the Tramways Act, 1885.

5.

Fremantle Tramways.

5. If at any time hereafter any Local Authority shall require to connect with and to acquire running powers over the Tramways authorised by this Act, the terms and conditions upon which it shall be lawful so to do shall be referred to arbitration under the provisions of the Arbitration Act, 1895, and shall be determined by the award, and it shall be lawful for any Local Authority interested to be represented at and to take part in the arbitration.

6. The said Tramways shall be constructed on the 3ft. 6in. gauge.

7. The said Tramways shall be laid with steel rails.

8. A grooved rail shall be used throughout.

9. The poles in High Street and, if required by the Council, elsewhere, shall be of iron.

10. The side pole and span wire system shall be adopted throughout.

11. All necessary longitudinal guard wires shall be erected.

12. The trolley wire shall be of copper section, voltage 500 to 600 direct current, maximum drop 10 per cent.

13. The power station shall be placed on portions of sub-lots 2, 3, and 4 of Fremantle Town Lots 274 and 275, part of 276 and 293, between Beach Street and Cantonment Road, Fremantle.

14. The span and guard wires to be of galvanised steel, diameter 5-16th of an inch, and all attachments to poles and insulators to be the best procurable.

15. The electric bonds for rails to be copper section, decimal 4.

16. No cable or live wire to be affixed or lie closer to the handrail of any balcony than 4ft., and all other necessary precautions shall be taken to prevent persons coming into contact with the cables.

17. As regards the electric control of cars, each car shall be provided with main switch and circuit breaker, one at each end, so that the current can be cut off by either the motorman or the conductor in case of accidents.

18. Each car shall be provided with a rope fender at each end.

19. The said Tramways shall be used for the conveyance or carriage of passengers only.

20. The Promoter shall not be chargeable by the Local Authority with any rent, rates, or payment in respect of the use of the roads or streets within the said Municipality, or any of them or any portion thereof for the purposes of the undertaking, but this provision shall not apply to the lands and buildings of the Promoters.

21. On the signing of this Provisional Order, the Promoter shall pay, as a deposit, into the hands of the Colonial Treasurer the sum of Eight hundred and seventy-five pounds; and, in the event of the said deposit not being paid, the powers given by this Provisional Order to the Promoter for constructing the said Tramways shall cease to be exercisable, unless the time be prolonged by direction of the Governor in Council. The said deposit shall be held by the Colonial Treasurer until the Tramways included in the said schedule hereunder written are in working order and shall have been open for traffic for a period of three months, when the said deposit shall be returned to the Promoter with accrued interest, if any.

22. The roads of all the lines shall be properly macadamised for a width of 6ft. 6in. for single lines, and from 17ft. 10in. to 19ft. 4in. for double lines, and shall be kept in thorough repair to the level of the rails.

23. The Promoter may demand and take for every passenger conveyed upon the said Tramways, before the time for the due completion of the whole of the works and Tramways, as hereinbefore provided, has expired, such fare or fares as shall

Fremantle Tramways.

shall be approved of by the Commissioner of Railways; and, after the due completion of the said works and Tramways, any tolls and charges not exceeding in amount the charge specified in Schedule "B" hereto. The payment of the above-mentioned fares shall, in every case, entitle each passenger to carry personal luggage by hand, not exceeding two feet in length, eighteen inches in depth, and one foot in breadth, and not exceeding 20lbs. weight, without additional charge, at passenger's risk, and without occupying with such luggage any part of a seat.

24. The restrictions herein contained as to tolls and charges which the Promoter may demand and take for the conveyance and carriage of passengers shall not extend to any special car other than workmen's cars, but shall apply only to the ordinary cars appointed by the Promoter from time to time for the conveyance of passengers.

25. The tolls and charges authorised to be taken, and which shall be demanded by the Promoter, shall be paid to such persons, and at such places upon or near the Tramways, and in such manner and under such regulations as the Promoter shall appoint by notice to be exhibited in some conspicuous place in the inside of each of the passenger cars used by the Promoter upon the said Tramways.

26. All cars used on the said Tramways shall be moved by electric power, and the Promoter may erect and maintain all such poles and posts with wires attached thereto in the said streets mentioned in the said Schedule hereunder written, along the routes therein mentioned, as may be necessary or required for supplying electricity to the said cars, and for working the said Tramways on the overhead trolley system.

27. All cars using the said Tramways may travel at a speed not exceeding the rate of 10 miles an hour, and may follow after each other at distances of not less than 50 yards, and may stop at any point on the said Tramways for the purpose of taking up and setting down passengers, and may stand at the terminus of any of the said Tramways.

28. The time-table to be observed for running cars upon each of the said routes shall be decided between the Local Authority and the Promoter, and in case of difference such time-table shall be fixed by the Commissioner of Railways, whose decision shall be final.

29. The said Tramways shall be constructed with single or double lines, and before commencing to construct the said Tramways the Promoter shall submit, for the inspection of the Commissioner of Railways, plans, specifications, and drawings of the proposed Tramways, and shall obtain his approval thereof in writing, and the Commissioner of Railways may from time to time, upon the application of the Promoter, alter or vary the same, or authorise or require the Promoter to alter or vary the same.

30. All plans and specifications in connection with the carrying out of the work shall be submitted to the Commissioner of Railways or the Engineer of the Local Authority for approval, and all work shall be carried out and finished to the entire satisfaction of the Local Authority and their Engineer, and of the Commissioner of Railways.

31. The Promoter and any person, Corporation, and Company may, from time to time, make and enter into and carry into effect contracts, agreements, and arrangements for or with reference to the use by such other persons, Corporation, or Company of the said Tramways, or portion thereof, and for prescribing and regulating the tolls and charges to be paid for such use, and the terms and conditions of such user, and all matters incidental thereto.

32. The term "the Promoter," whenever hereinbefore used, shall mean and include The Electric Supply Company of Western Australia, Limited, its successors and assigns, wherever the context so requires or admits.

33.

Fremantle Tramways.

33. In the event of a double line being laid in High Street hereafter, the Promoter shall, at his own cost, remove the single line from the centre of the street to the position which it should occupy as one of the two lines, and replace the wood-blocking.

SCHEDULE "A" REFERRED TO.

1. High Street, from Cliff Street terminus to the intersection with Stirling Street; thence along Stirling to the intersection with Ord Street.
2. Adelaide Street, from the intersection with High Street, via Cantonment Road and Canning Road to East Street.
3. Ord Street, at the intersection of High Street, along Hampton Road to Martha Street, Beaconsfield.
4. Market Street terminus, near Bay Street, via South Terrace, Mandurah Road, to Douro Road.
5. Hampton Street, from intersection with South Terrace, to its intersection with Hampton Road.

SCHEDULE "B" REFERRED TO.

High Street, from Cliff Street terminus, via Adelaide Street and Cantonment Road, to East Street, and <i>vice versa</i>	3d.
High Street, from Cliff Street terminus, via Ord Street and Hampton Road, to Martha Street	3d.
Martha Street, thence down Hampton Road, Hampton Street, South Terrace, Market Street, to High Street, and <i>vice versa</i>	3d.
Alma Street, via Hampton Road, Hampton Street, South Terrace, to Cliff Street terminus	3d.
Cliff Street terminus, via South Terrace, Hampton Street, Hampton Road, to Alma Street	3d.
Alma Street, via Ord Street, to Cliff Street terminus	3d.
Market Street terminus, via South Terrace, Mandurah Road, to Douro Road	3d.
Douro Road, via Mandurah Road, South Terrace, to Cliff Street terminus ...	3d.
For any distance between the above specified points	3d.

Free transfers shall in all cases be given from Cliff Street to Market Street and *vice versa*.

As witness my hand this 11th day of October, 1900.

B. C. WOOD,

Commissioner of Railways.

Witness—

M. E. JULL,

Under Secretary for Public Works.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLV.

AN ACT to confirm a Provisional Order
authorising the construction of Tramways in
the District of the Road Board of Kalgoorlie.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parlia-
ment assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Kalgoorlie Road Board
District Tramways Act, 1900.

Short title.

2. THE term "local authority," when used in this Act or in
the Tramways Act, 1885, shall mean the council of any municipality
declared and proclaimed or constituted under the provisions of the
Municipal Institutions Act, 1895, or other board, council, trustees,
or persons in whom a road, as defined by the Tramways Act, 1885,
is vested, or who have the power to maintain or repair such road.

Interpretation.

3. THE Provisional Order made by the Commissioner of Rail-
ways for Western Australia on the 17th day of October, 1900, as
amended in the Schedule to this Act, is hereby confirmed.

Confirmation of Pro-
visional Order.

4.

Kalgoorlie Road Board District Tramways.

Power to construct tramways.

4. SUBJECT to the provisions of the Tramways Act, 1885, the promoter named in the said Provisional Order, and his assigns, hereinafter called the Promoter, may make, form, lay down, construct, maintain, and work the tramways set forth in the said Provisional Order.

Schedule incorporated.

5. THE Schedule hereto shall form part of this Act.

Protection of telephone service from injury by tramways.

6. WHENEVER any telephone service is erected prior to the construction of the tramways, and is prejudicially affected by the construction or working of the tramways, the Postmaster General may, at the cost of the Promoter and his assigns, do all such things as may be necessary to protect the telephone service from being so affected, either by placing the same on a metallic circuit system or otherwise.

The agreement of 20th June, 1900, to include as parties the Promoter and any local authorities through whose area the routes go.

7. (1.) SUBJECT to the provisions of the Tramways Act, 1885, and of this Act, an Agreement bearing date the 20th June, 1900, and made between the Kalgoorlie Road Board (thereinafter referred to as the "local authority") of the one part and Charles Preston Dickenson of the other part, is hereby validated, and the Promoter shall be deemed a party thereto in the place of the said Charles Preston Dickenson.

(2.) In the event of the whole of the tramway routes being hereafter within the area of any single local authority not party to the said Agreement, and so long as the whole shall so remain, the said Agreement shall be deemed to be made between the Promoter and such local authority.

(3.) In the event of any part of the tramway routes being hereafter within the area of any local authority not party to the said agreement, and so long as any part shall so remain, the said agreement shall be deemed to be made between the Promoter and every local authority within whose area any portion of such routes shall be, and the rights and obligations of the parties respectively shall be apportioned in accordance with the length of route, which shall be within the areas of the local authorities respectively being, or deemed to be, parties to the said agreement.

(4.) If the area of any local authority has ceased to include a portion of the said routes, such local authority shall cease to be a party to the said agreement.

8. IF at any time after the passing of this Act the Boulder Municipal Council shall consent to the extension of the tramways herein mentioned through the Municipality of Boulder, then the Promoter shall be obliged to apply to the said Council for a concession to construct said tramways, and shall apply to the Commissioner

Kalgoorlie Road Board District Tramways.

Commissioner of Public Works for a provisional order to construct said trams, and upon its issue and its confirmation by Parliament he shall construct the tramways herein mentioned, viz.:—

Route A mentioned in the Schedule to this Act shall be continued from its terminus at Fimister along Fimister Road to Boulder, and thence along Burt Street (or its continuation) to a point opposite the Grand Stand of the Boulder Racecourse.

Route B shall be continued from the boundary of the Boulder Municipality along Lane Street (or its continuation) to its intersection with Dwyer Street, and thence along Dwyer Street to its intersection with Wilson Street, or its continuation.

Route C shall be continued from its present terminus on the Boulder Municipality along North Terrace to its intersection with Wilson Street, thence along Wilson Street, or its continuation, to the intersection of Route B in Dwyer Street. He shall also construct such other tramways as shall be mutually agreed between the Boulder Municipal Council and the Promoter.

If the Promoter shall fail to comply with the provision of this section, the Boulder Municipality may construct the aforesaid continuation; and the Promoter shall be liable to pay for the whole cost of the same.

Such continuations, when made, shall be worked as part of, and in conjunction with, the original scheme: Provided that no extra fare be charged in connection with these continuations.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

Kalgoorlie Road Board District Tramways.

THE SCHEDULE.

PROVISIONAL ORDER.

WHEREAS WEST AUSTRALIAN GOLDFIELDS, LIMITED, whose registered office in Western Australia is in Atlas Chambers, Bayley Street, Coolgardie, a Company within the meaning of the expression "the Promoter," as defined by the Tramways Act, 1885, Section 3, Sub-section 2, has made application to me for a Provisional Order authorising the construction of Tramways in the District of the Road Board of Kalgoorlie, between the present boundaries of the Kalgoorlie and Boulder Municipalities, along the routes in the Schedule hereunder written. AND WHEREAS the Promoter has published notice of its intention to make application in the form prescribed in the Schedule "B" annexed to the Tramways Act, 1885, by advertising in the *Government Gazette* and in the *Kalgoorlie Miner* newspaper, and has deposited the documents described in Schedule "C" annexed to the same Act, at the Department of Public Works, Perth, and with the Clerk of the Road Board of the Kalgoorlie District. AND WHEREAS I have considered the said application, and it appears to me expedient and proper that the said application should be granted: NOW THEREFORE I, the undersigned, the Commissioner of Railways for Western Australia, do hereby, by virtue of the provisions of the Tramways Act, 1885, make a Provisional Order, and I do order as follows, that is to say:—

1. The Promoter shall be and is hereby empowered to make, form, lay down, construct, maintain, and work Tramways in, upon, and along such of the streets and roads in the District of the Road Board of Kalgoorlie, between the present boundaries of the Kalgoorlie and Boulder Municipalities, as are mentioned in the said Schedule hereunder written. PROVIDED NEVERTHELESS that notwithstanding anything herein contained it shall be lawful for the Commissioner of Railways, at any time within six months from this date, by notice, in writing, to the Promoter, delivered at its registered office for the time being, to prohibit the construction of any part or parts of the said Tramway which, in the opinion of the Commissioner of Railways, may interfere with the Railway system.

2. The Promoter shall, within six months after the confirmation of this Provisional Order, or within such extended time as the Commissioner of Railways may approve, substantially commence the works in connection with the said Tramways, and complete the same within two years and six months from the date of such confirmation.

3. The Promoter shall, within two years from the passing of the Act of Parliament confirming this Provisional Order, with the approval of the Local Authority, in writing, in each instance first had and obtained, purchase the freehold of, or lease with the right of purchase, all such lands as shall be required for the purpose of or in connection with the working of the said Tramways; and shall forthwith, after each such purchase, notify to the Local Authority, in writing, the price paid for such freehold or leasehold lands; and all buildings, erections, improvements, and works required or used in connection with the said Tramways shall be erected on such freehold lands, or leasehold lands with the right of purchase, so acquired as aforesaid.

4. The said Tramways shall be constructed on a 3 feet 6 inch gauge.

5. The Promoter shall, at its own expense, at all times maintain and keep in good condition and repair, with such materials and in such manner as the Local Authority shall direct, and to the satisfaction of the Local Authority, so much of any

Kalgoorlie Road Board District Tramways.

any road whereon any Tramway belonging to the Promoter is laid as lies between the rails of the Tramway, and when two Tramways are laid by the Promoter on any road at a distance of not less than 11 feet centres from each other, the portion of the road between the Tramways and, in every case, so much of the road as extends 18 inches beyond the rails on each side of any such Tramway; and in all cases when two tramways are laid on any road, such Tramways shall not be less than 11 feet apart from centre to centre.

6. All levels and gradings of each route shall be determined by the Local Authority, and approved by the Commissioner of Railways before any work in connection with the Tramway construction is commenced. If any work is commenced before this approval, in writing, has been given, then the Promoter shall be liable to the Commissioner of Railways in a penalty of Twenty-five pounds a day until such levellings and gradings are approved, such penalties to be recoverable by the Commissioner of Railways in any Court of competent jurisdiction.

7. Wherever the Tramways cross any line of railway, the Commissioner of Railways—

- (a.) May permit the Promoter, temporarily or otherwise, to adopt a level crossing; and
- (b.) May at any time require the Promoter to erect a suitable bridge over such railway for the tramway traffic; or
- (c.) To contribute towards the construction of an ordinary road bridge for use as well by the tramways as by the public, and to be built by the Government or Local Authority. Such contribution to be a sum of £3,000 for a bridge over the Boulder Railway.

The provisions of paragraphs (a) and (b) shall extend to any sidings already constructed, or hereafter to be constructed, connected with a Government railway, and whether private sidings or otherwise.

8. It shall at all times hereafter be lawful for the Commissioner of Railways, and for any person acting with his authority to construct, maintain, and use lines of railway crossing the said tramways at any points, and whenever any such line of railway shall have been so constructed, the Commissioner of Railways may require the Promoter, at its own cost, to erect a suitable bridge over such railway for the tramway traffic.

9. The said Tramways shall be laid with steel rails, which shall not be less than 60lb. rails, and of such section as the Commissioner of Railways shall approve, and shall also be subject to the approval of the Local Authority or any officer appointed by it.

10. Wherever a single tramline shall, for the time being, be laid, the rails shall be so laid that whenever the tramline is duplicated the centre line between the two sets of rails shall be the centre line of the street.

11. All poles for carrying wires shall be erected at the side of the street with span wires between them, and all electric installation shall be similar to that in use by the Perth Tramways, in the City of Perth, at the date of this Provisional Order.

12. The said Tramways shall be used for the conveyance or carriage of passengers only.

13. Except as hereinafter provided, and in the case of special cars, such special cars to be previously notified to the Local Authority and approved of, in writing, by it, the Promoter may demand and take for every passenger conveyed upon the said Tramways any tolls and charges not exceeding the amounts following:—The maximum fare to be charged on any of the routes, A, B, C, and D, mentioned in the said Schedule hereunder written shall not exceed threepence for any single fare on a single journey: PROVIDED ALWAYS that the Promoter shall, as and when required by the Local Authority, provide special cars for workmen between

Kalgoorlie Road Board District Tramways.

between the hours of 6 and 8 a.m. and 5 to 6:20 p.m., and all workmen travelling upon such special cars between the said hours in the morning shall be entitled to a return ticket at a fare not exceeding the cost of a single fare, the return half of such ticket to be available for use on such special cars between the said hours of 5 and 6:20 p.m.

14. The restrictions herein contained as to tolls and charges which the Promoter may demand and take for the conveyance or carriage of passengers shall not extend to any special cars other than workmen's cars, but shall apply only to workmen's cars and to the ordinary cars appointed by the Promoter from time to time for the conveyance of passengers.

15. The tolls and charges authorised to be taken, and which shall be demanded by the Promoter, shall be paid to such persons and at such places upon or near the Tramways and in such manner and under such Regulations as the Promoter shall appoint by notice to be exhibited in some conspicuous place on the inside of each of the passenger cars used by the Promoter upon the Tramways.

16. Every passenger travelling upon the Tramways may take with him ordinary personal luggage belonging to him, not exceeding in weight 20lbs., without any charge being made for the carriage thereof.

17. It shall be at the option of the Promoter, for the first 15 months from the date of the confirmation of this Provisional Order, to use horse power as the motive power of the cars on the said Tramways, but after the expiration of the said period of 15 months all cars used on the said Tramways shall be moved by electrical or other power approved of by the Local Authority. The Promoter may erect and maintain all such poles and posts, with wires attached thereto, in the said streets mentioned in the said Schedule hereunder written, along the routes therein mentioned, as may be necessary or required for supplying electricity to the said cars, and for working the said Tramways on the overhead trolley system: Provided that the Commissioner of Railways shall be entitled to direct the alteration of position of any pole, or post, or wire, if it appears to him that the same is specially inconvenient and could be made less inconvenient without great cost to the Promoter, and in the event of such direction being given by the said Commissioner of Railways the Promoter shall comply with it without delay.

18. All cars using the said Tramways may travel at a speed not exceeding the rate of 10 miles an hour, and may follow after each other at distances of not less than 50 yards, and may stop at any point on the said Tramways, except on crossings of streets, for the purpose of taking up and setting down passengers, and may stand at the terminus of any of the said Tramways.

19. The time-table to be observed for running the tramcars, and the fares to be charged to passengers thereon, shall, during the first five years from the date of the confirmation of this Provisional Order, be fixed by the Promoter, with the approval, in writing, of the Local Authority from time to time, to meet the local conditions and requirements of the public, but so that at least two tramcars shall leave Kalgoorlie and two tramcars shall leave Boulder not later than 7:15 a.m. each day; and not less than 12 trams per diem shall be run on routes A, B, C, and D. After the expiration of the said period of 5 years, the time-table and fares shall be fixed by the Local Authority and Promoter jointly, but so that the single fare for a single journey shall not exceed the amounts mentioned in paragraph 13 hereof. In case of difference, such time and fare table shall be referred to the Commissioner of Railways, whose decision shall be final.

20. The said Tramways shall be constructed in accordance with the drawings herewith (subject to provisos herein contained), with double or single lines, as the case may be; but the Commissioner of Railways may from time to time, upon the application of the Promoter, alter or vary the same, or authorise or require the Promoter to alter or vary the same.

21.

Kalgoorlie Road Board District Tramways.

21. All additional plans and specifications in connection with the carrying out of the works shall be submitted to the Commissioner of Railways and the Local Authority for approval; and all works shall be carried out and finished to the entire satisfaction of the Commissioner of Railways and of the Local Authority, or of any officer appointed by it.

22. The Promoter may, from time to time, make and enter into and carry into effect contracts, agreements, and arrangements for or with reference to the use by any person, Corporation, or Company of the said Tramways, or portion thereof, and for prescribing and regulating the tolls and charges to be paid for such use, and the terms and conditions of such use, and all matters incidental thereto.

23. The Promoter shall not, nor shall any of its Assignees or Transferees, or persons claiming through or under it, have power to assign or transfer the rights hereby conferred to any other company or person without the previous approval and consent in writing of the Local Authority, and otherwise in accordance with Section 29 of the Tramways Act, 1885, provided that such approval and consent of the Local Authority shall not be arbitrarily or unreasonably withheld where the same is asked by the Promoter in favour of a substantial person or company who or which has satisfied the Local Authority as to his or its *bona fides*.

24. Subject to the provisions of the Tramways Act, 1885, the Promoter shall observe and perform all and singular the terms, conditions, stipulations, and provisions contained in a certain agreement dated the 20th day of June, 1900, and made between the Kalgoorlie Road Board of the one part and Charles Preston Dickenson of the other part as if the said West Australian Goldfields, Limited, had been party thereto in the place of the said Charles Preston Dickenson, except so far as such conditions may be modified by this order, or by the Act confirming the same.

25. The term "the Promoter," whenever herein used, shall mean and include "West Australian Goldfields, Limited," and its assigns wherever the context so requires or admits.

SCHEDULE ABOVE REFERRED TO.

Route A.—Along the Boulder Road, from its intersection with the South-Eastern boundary of the Municipality of Kalgoorlie to the North-Western boundary of Gold Mining Lease No. 102E.

Route B.—Along Federal Road, from its intersection with the Boulder Road on Lease 261E to its intersection with the boundary of the Municipality of Boulder.

Route C.—Along Salisbury Road, from its intersection with the Northern boundary of the Municipality of Boulder to its intersection with Gala Road at Lease 1915E, and thence along Gala Road to the boundary of the Municipality of Kalgoorlie.

Route D.—A cross route from a point at the intersection of Roberts Street and Gala Road; thence Easterly along Roberts Street to a point at the intersection of Roberts Street and Boulder Road.

Given under my hand this seventeenth day of October, One thousand nine hundred.

B. C. WOOD,
Commissioner of Railways.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLVI.

AN ACT to authorise the Closing of Portions of certain Streets and Thoroughfares in the Municipality of Victoria Park, and the vesting thereof in Her Majesty the Queen.

[Assented to, 5th December, 1900.]

WHEREAS certain pieces of land, more particularly described in the Schedule hereto, have hitherto formed portions of certain public streets and thoroughfares: And whereas it is expedient that all rights of way in and over the said pieces of land should cease, and that the lands should vest in Her Majesty the Queen: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. ALL rights of way in and over such portions of the streets and public thoroughfares in the Municipality of Victoria Park as are described in the Schedule hereto shall henceforth cease and determine;

Abolition of certain thoroughfares.

Closing of Streets, Victoria Park.

determine; and it shall be lawful for Her Majesty, her heirs and successors, to deal with the said pieces of land as if they had never been public roads, and the said portions of the said streets and thoroughfares shall vest absolutely in Her Majesty and her successors on the passing hereof.

Short title.

2. THIS Act may be cited as the Streets and Thoroughfares (Victoria Park) Closure Act, 1900.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE.

Cashel Street, between Washington and Gloucester Streets, containing one acre.

Colombo Street, between Washington and Gloucester Streets, containing one acre.

The said Streets being portion of Swan Location 36, and shown on plan deposited at the Titles Office, Perth, numbered 598.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLVII.

AN ACT for the Closing of certain Roads
and Streets.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. ALL rights-of-way on and over such roads and streets and portions of roads or streets as are described in the Schedule hereto shall cease from the passing of this Act, and Her Majesty may deal with such roads, streets, and portions as if they had never been public roads or streets or subject to the said rights.

Abolition of certain
rights-of-way.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

SCHEDULE.

Closure of certain Roads and Streets.

SCHEDULE.

IN THE TOWN OF ALBANY.

All that portion of a public road numbered as Albany Town Lot 399, lying between the West side of Lake Road and the Northerly production of the Western boundary of Albany Suburban Lot B8.

IN THE TOWN OF BROAD ARROW.

The whole of Yabsley Street, 1 chain 50 links wide, the Westward side of which starts on the Western side of Hannah Street at a point $24\frac{1}{2}$ links Northward from the South-East corner of Broad Arrow Town Lot 406, and extends $304^{\circ} 56'$ to the Southern side of Todd Street.

IN THE TOWN OF FREMANTLE.

All that portion of a public street, 75 links wide, between the West side of Attfield Street and the North side of Alma Street, the Northward side of which starts from a point on the West side of Attfield Street, situate 216 links Northward from the North-East corner of Fremantle Town Lot 681, and extends $269^{\circ} 58'$ 6 chains 5·4 links; thence $165^{\circ} 48'$ 3 chains 20 links to a point on the North side of Alma Street, situate $345^{\circ} 48'$ 50·2 links from the North-East corner of Lot 847.

IN THE TOWN OF KALGOORLIE.

All that portion of land at the junction of Bourke, Varden, and Peers Streets, now known as Kalgoorlie Town Lot 1431, bounded on the Westward by about 1 chain 86 links of Peers Street, on the Northward by about 2 chains 61 links of Varden Street, and on the South-East by about 3 chains 20 links of Bourke Street.

All that portion of St. Alban's Road bounded by a line starting from a point situate 8 chains 95 links South and 9 chains 43 links East from the South corner of Kalgoorlie Town Lot 13 R., and extending $43^{\circ} 30'$ 10 chains $57\frac{3}{10}$ links; thence $19^{\circ} 35'$ 4 chains $86\frac{1}{10}$ links; thence $184^{\circ} 29'$ 2 chains $60\frac{3}{10}$ links; thence $196^{\circ} 34'$ 1 chain 40 links; thence $223^{\circ} 30'$ 11 chains $75\frac{3}{10}$ links; and thence $313^{\circ} 30'$ 30 links of Maritana Street to the starting point.

IN THE TOWN OF KATANNING.

All that portion of Harris Street South-West of Conroy Street, the whole of Moir, Grover, Beaver, Bruce, Holly, Leake, and Bentham Streets, the whole of a public lane, 30 links wide, lying between Katanning Town Lots 146 to 149 and 150 to 153, and the whole of another public lane, 30 links wide, lying between Lots 134 to 137, and 138 and 143 to 145.

IN THE TOWNSITE OF MOOJEBING.

All that portion of Brassey Terrace lying between the Northerly productions of the East side of Grover Street and the West side of Trimmer Road.

IN THE CITY OF PERTH.

All that portion of Irene and Lincoln Streets lying between a line connecting the North-West corner of Perth Town Lot N 111 to the North-East corner of Lot N 110 and the West side of Clifton Street, produced Southwards to the South boundary of Lincoln Street.

All

Closure of certain Roads and Streets.

All that portion of Bellevue Terrace starting at the North-West corner of Perth Town Lot L 65, and extending 1 chain 50 links along its West boundary; thence $287^{\circ} 8'$ 1 chain 50 links; thence $17^{\circ} 19'$ 2 chains 25 links; thence 1 chain 18 links along the arc of a circle having a radius of 75 links, its centre being situate at a point $332^{\circ} 8'$ 1 chain 6 links from North-West corner of Lot L 65 aforesaid, and thence $107^{\circ} 8'$ 75 links to the starting point.

IN THE TOWN OF PINGELLY.

The whole of Stone and Box Streets; also all that portion of Queen Street lying between the South side of Pasture Street and the North side of Sharow Street.

IN THE TOWN OF SOUTHERN CROSS.

All that portion of a public right-of-way, 15 links wide, extending along the North-Eastern boundaries of Southern Cross Town Lots 213 to 221.

IN THE TOWN OF TOODYAY.

All that portion of Francis Street lying between the South-Westerly production of the South-Eastern boundary of Toodyay Town Lot 21, and a line bearing $21^{\circ} 14'$ from the East corner of Town Lot 25.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLVIII.

AN ACT for the Closing of Water Street,
North Fremantle.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. ALL rights-of-way on and over the street described in the Schedule hereto shall cease from the passing of this Act, and Her Majesty may deal with such street as if it had never been a public street or road, or subject to the said rights.

Abolition of a certain
right-of-way.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

THE

Closure of Water Street, North Fremantle.

THE SCHEDULE.

The whole of Water Street, North Fremantle, situate South of the South side of Lilburn Road.

Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLIX.

AN ACT to validate Two Rates made by the Boulder Local Board of Health for the years One thousand eight hundred and ninety-nine and One thousand nine hundred respectively.

[Assented to, 5th December, 1900.]

WHEREAS doubts have arisen as to whether Two Rates made by the Boulder Local Board of Health, the one on the tenth day of May, One thousand eight hundred and ninety-nine, for the year One thousand eight hundred and ninety-nine, and the other on the fifteenth day of December, One thousand eight hundred and ninety-nine, for the year One thousand nine hundred, under the Health Act, 1898, were lawfully made, and whether, as required by the twenty-seventh section of that Act, the provisions of the Municipal Institutions Act, 1895, in that behalf were duly complied with, and it is expedient to validate the said Rates: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly

Preamble.

Validation of Rates, Boulder Local Board of Health.

Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Rates made for 1899
and 1900 by Boulder
Local Board of
Health validated,
subject to appeal.

1. THE rate made by the Boulder Local Board of Health on the tenth day of May, One thousand eight hundred and ninety-nine, for the year One thousand eight hundred and ninety-nine, and the rate made by the same Local Board on the fifteenth day of December, One thousand eight hundred and ninety-nine, for the year One thousand nine hundred, are hereby declared to be valid, notwithstanding any failure to comply with the provisions of the Municipal Institutions Act, 1895, made in that behalf, and the said rates may be recovered by the said Local Board accordingly; but subject to any appeal commenced within fourteen days of the passing of this Act, and in other respects commenced and prosecuted in accordance with the said Municipal Institutions Act, 1895.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

T A B L E O F

STATUTES OF WESTERN AUSTRALIA

IN FORCE OR PARTLY IN FORCE,

At the end of the Sixth Session of the Third Parliament held in 1900.

T A B L E O F

STATUTES OF WESTERN AUSTRALIA

IN FORCE OR PARTLY IN FORCE

At the end of the Sixth Session of the Third Parliament held in 1900.

ABOLITION of Aborigines Protection Board	...	...	...	61 Vict., 5	1897
of Assisted Schools	...	...	...	59 Vict., 27	1895
Ecclesiastical Grant	...	...	...	59 Vict., 25	1895
Primogeniture	...	...	...	57 Vict., 9	1893
ABORIGINES					
Capital Punishment	...	...	...	39 Vict., 1	1875
Contracts	...	...	...	50 Vict., 25	1886
	...	...	...	55 Vict., 25	1892
	...	...	...	61 Vict., 5	1897
Enticement of Girls from School or Service	...	...	...	8 Vict., 6	1845
Evidence	...	...	...	4 and 5 Vict., 22	1841-2
	...	...	...	7 Vict., 7	1844
	...	...	...	12 Vict., 14	1849
Interpreters	...	...	...	39 Vict., 2	1875
Offenders	...	...	...	47 Vict., 8	1883
	...	...	...	55 Vict., 18	1892
	...	...	...	56 Vict., 15	1893
Pearl Fisheries	...	...	...	37 Vict., 11	1873
(and see that heading)					
ABORIGINES DEPARTMENT	...	...	...	61 Vict., 5	1897
ACCIDENTS, Compensation for	...	...	...	64 Vict., 37	1900
ACCLIMATIZATION GARDENS, South Perth	...	...	...	62 Vict., 32	1898
ACCUSED PERSONS, Trial of	...	...	...	63 Vict., 7	1899
ACKNOWLEDGMENTS by Married Women	...	...	...	35 Vict., 3	1871
	...	...	...	2 Gul. IV., 7	1832
	...	...	...	19 Vict., 3	1856
ACTS OF PARLIAMENT, Proof of	...	...	...	63 Vict., 9	1899
ADMINISTRATION OF JUSTICE	...	...	...	63 Vict., 37	1899
ADOPTION OF CHILDREN	...	...	...	60 Vict., 6	1896
AFFIDAVITS					
Commissioners for taking	...	...	...	35 Vict., 3	1871
AGENT GENERAL.—Appointment and Tenure of Office	...	...	...	59 Vict., 7	1895
AGRICULTURAL BANK	...	...	...	58 Vict., 21	1894
Amendments	...	...	...	60 Vict., 5	1896
	...	...	...	63 Vict., 25	1899
AGRICULTURAL LANDS PURCHASE	...	...	...	60 Vict., 26	1896
Amendments	...	...	...	61 Vict., 34	1897
	...	...	...	62 Vict., 20	1898
ALBANY Mechanics' Institute	...	...	...	48 Vict., 17	1884
ALIENS (see "Naturalization," "Imported Labour").					
ANALYSTS	...	...	...	61 Vict., 25	1897

APPORTIONMENT of Periodical Payments	...	...	...	54 Vict., 8	1891
APPRENTICESHIP	...	...	...	37 Vict., 12	1873
Juvenile Immigrants	...	...	...	6 Vict., 8	1843
Amendments	...	...	...	7 Vict., 11	1844
	...	...	...	12 Vict., 16	1848
	...	...	...	37 Vict., 12	1873
ARBITRATION	...	...	...	59 Vict., 13	1895
ASSISTED SCHOOLS—Abolition of	...	...	...	59 Vict., 27	1895
ASSOCIATIONS INCORPORATION ACT	...	...	...	59 Vict., 20	1895
ASSURANCE, LIFE	...	...	...	53 Vict., 12	1889
ATTACHMENT	...	...	...	* 6 Gul. IV., 3	1837
	...	...	...	* 6 Vict., 4, 1842, as made perpetual by 10 Vict., 4	1847
	...	...	...	6 Vict., 15	1842
AUCTIONEERS	...	...	...	37 Vict., 3	1873
Amendments	...	...	...	44 Vict., 19	1880
	...	...	...	61 Vict., 11	1897
AUDIT	...	...	...	54 Vict., 12	1891
BANKS AND BANKING	...	...	...	8 Gul. IV., 1	1837
Bankers' Books as Evidence	...	...	...	58 Vict., 6	1894
Defacement of Bank Notes	...	...	...	63 Vict., 46	1899
Public Depositors' Relief	...	...	...	57 Vict., 7	1893
Recovery between Shareholders	...	...	...	12 Vict., 17	1848
Restricting Values of Bank Notes	...	...	...	4 Vict., 5	1841
BANK HOLIDAYS	...	...	...	48 Vict., 9	1884
	...	...	...	52 Vict., 3	1888
Amendment	...	...	...	63 Vict., 40	1899
BANKRUPTCY	...	...	...	55 Vict., 32	1892
Amendment	...	...	...	62 Vict., 15	1898
BASTARDY	...	...	...	39 Vict., 8	1875
Amendment	...	...	...	60 Vict., 35	1896
BEER DUTY	...	...	...	62 Vict., 4	1898
Amendment	...	...	...	63 Vict., 41	1899
BEEES, CONTAGIOUS DISEASES, Eradication of	...	...	...	63 Vict., 10	1899
BETTING IN PUBLIC PLACES	...	...	...	62 Vict., 21	1898
BILLS OF EXCHANGE	...	2 and 3 Gul. IV., c. 98, as adopted by 6 Gul. IV., 4	...	...	1835
"	...	6 and 7 Gul. IV., c. 58, as adopted by 7 Vict., 13	...	...	1844
"	...	...	48 Vict., 10	...	1884
BILLS OF LADING	...	18 and 19 Vict., c. 111, as adopted by 20 Vict., 7	...	...	1856
BILLS OF SALE	...	...	63 Vict., 45	...	1899
Amendment	...	...	64 Vict., 28	...	1900
BIETHS, DEATHS, AND MARRIAGES	...	...	...	...	...
Registration	...	...	58 Vict., 16	...	1894
Amendment	...	...	64 Vict., 31	...	1900
BOATS	...	...	...	...	...
, Licensing of	...	...	42 Vict., 24	...	1878
Amendments	...	...	47 Vict., 3	...	1883
"	...	...	50 Vict., 11	...	1886
"	...	...	52 Vict., 9	...	1888
BOILERS, STEAM	...	...	61 Vict., 22	...	1897
BOULDER LOCAL BOARD OF HEALTH, VALIDATION OF RATES	...	...	64 Vict., 49	...	1900
BOUNDARIES	...	...	...	...	...
of any Lands (Error in Crown Grant)	...	...	48 Vict., 13	...	1884
of Crown Lands	...	...	4 and 5 Vict., 20	...	1841-2
of Town Lands	...	...	8 Vict., 9	...	1845
Alignment of Streets in Towns	...	...	8 Vict., 8	...	1845
Alignment of Streets (amendment)...	...	...	16 Vict., 16	...	1852

* For 6 Gul. IV., 3, and 6 Vict., 4, see after Index appearing at end of Volume of Statutes for 1897.

BRANDING							
of Stock	...	...	...	...	...	45 Vict., 7	1881
(Sheep)	...	...	...	...	...	46 Vict., 18	1882
(Camels)	...	...	...	...	...	49 Vict., 3	1885
BRIGADES, FIRE	...	...	...	...	...	62 Vict., 8	1898
Amendment	...	...	...	...	...	63 Vict., 28	1899
Issue of Debentures	...	...	...	...	...	64 Vict., 38	1900
BROKERS							
Employment—	...	...	...	...	...	61 Vict., 24	1897
BUILDING ACTS	...	...	...	...	...	48 Vict., 15	1884
Amendment	...	...	...	...	...	51 Vict., 17	1887
	...	...	...	...	...	59 Vict., 29	1895
BUILDING SOCIETIES	...	...	...	...	...	27 Vict., 6	1863
...	...	...	...	...	...	27 Vict., 7	1863
BURIAL GROUNDS	...	...	...	...	...	62 Vict., 25	1898
Amendment	...	...	...	...	...	63 Vict., 38	1899
BUSH FIRES	...	...	...	...	...	62 Vict., 17	1898
BUSINESS HOURS IN SHOPS	...	...	...	...	...	62 Vict., 36	1898
BUTTERINE	...	...	...	...	...	51 Vict., 8	1887
CART AND CARRIAGE LICENSES	...	...	...	...	...	40 Vict., 5	1876
CASE STATED (see "Criminal Law").							
CATTLE DISEASES (see "Stock").							
CEMETERIES	...	...	...	...	...	61 Vict., 23	1897
See also Sect. 9 of 4 Vict., 6							
Amendments	...	...	...	...	...	62 Vict., 25	1898
	...	...	...	...	...	63 Vict., 38	1899
CENSUS	...	...	...	...	...	54 Vict., 7	1891
CHEMISTS, Registration of	...	...	...	...	...	58 Vict., 35	1894
CHILDREN							
Adoption of	...	...	...	...	...	60 Vict., 6	1896
CHINESE (see "Imported Labour").							
CHURCH OF ENGLAND							
Synod	...	...	...	...	...	49 Vict., 19	1885
Amendment (Diocesan Trustees)	...	...	...	...	...	52 Vict., 2	1888
And see "Religious Bodies."							
CIRCUIT COURTS	...	...	...	...	...	61 Vict., 28	1897
CIVIL LIST							
	...	...	...	...	...	Sec. 71, 53 Vict., 23	1889
	...	...	...	...	...	55 Vict., 17	1892
	...	...	...	...	...	Sec. 14, 60 Vict., 18	1896
CLOSURE OF STREETS OR ROADS (see "Streets").							
CLOSURE OF SHOPS, Early	...	...	...	...	...	62 Vict., 36	1898
CLUBS, Licensed	...	...	...	...	...	57 Vict., 25	1893
COASTING VESSELS							
Anchorage	...	...	...	...	...	34 Vict., 22	1870
Colonial Passengers	...	...	...	...	...	60 Vict., 25	1896
Consolidation of other Acts	...	...	...	...	...	60 Vict., 25	1896
COLLIERIES, Inspection of	...	...	...	...	...	63 Vict., 49	1899
COMMON LAW PROCEDURE	...	...	17 and 18 Vict., c. 125, see sect. 4 of	24 Vict., 15			1860
COMMONWEALTH, Members of Federal Parliament	...	...	...	...	...	64 Vict., 5	1900
	...	...	...	...	...	64 Vict., 6	1900
of Australia Constitution Act, Imperial (<i>see end of the Volume</i>)							
COMPANIES	...	...	...	...	...	56 Vict., 8	1893
Amendments	...	...	...	...	...	60 Vict., 2	1896
	...	...	...	...	...	62 Vict., 28	1898
	...	...	...	...	...	63 Vict., 54	1899

COMPANIES—(continued).

Local Register of Foreign	...	...	...	61 Vict., 35	1897
Banking	...	...	...	8 Gul. IV., 1	1837
(Recovery between Shareholders)	...	...	...	12 Vict., 17	1848
Joint Stock (Federal Reference)	...	...	...	50 Vict., 29	1886
Life Assurance	...	...	...	53 Vict., 12	1889
Dividend Duties...	...	...	...	63 Vict., 6	1899
COMPENSATION FOR ACCIDENTS	...	...	...	64 Vict., 37	1900
CONCILIATION	...	...	...	64 Vict., 20	1900
CONSPIRACY	...	...	...	64 Vict., 19	1900
CONSTITUTION ACT	...	...	...	52 Vict., 23	1889
Amendment	...	...	...	63 Vict., 19	1899
Amendment	...	...	...	64 Vict., 2	1900
Aborigines Department	...	...	...	61 Vict., 5	1897
Federal	...	...	...	63 Vict., 55	1900
CONTAGIOUS DISEASES IN BEES	...	...	...	63 Vict., 10	1899
CONTRACTORS	...	...	...	...	...
Joint	...	...	...	6 Vict., 4, as made perpetual by 10 Vict., 4	1847
CONVEYANCE	...	...	...	...	...
Simple Statutory, form of	...	...	...	8 and 9 Vict., c. 119, as adopted by 12 Vict., 21	1849
CONVICTS	...	...	...	...	...
Custody and Discipline	...	...	...	14 Vict., 6	1850
Amendments	...	...	...	16 Vict., 18	1852
	...	...	...	17 Vict., 5	1853
	...	...	...	21 Vict., 1	1857
	...	...	...	43 Vict., 4	1879
Gaols	...	...	...	21 Vict., 12	1857
Road Parties	...	...	...	41 Vict., 2	1877
Outside Employment	...	...	...	51 Vict., 5	1887
Removal to another Gaol	...	...	...	58 Vict., 10	1894
Transportation Abolished	...	...	...	19 Vict., 8	1855
Amendment	...	...	...	24 Vict., 1	1860
Violence	...	...	...	17 Vict., 7	1853
	...	...	...	32 Vict., 9	1868
COOLGARDIE GOLDFIELDS	...	...	...	...	...
Water Supply	...	...	...	60 Vict., 12	1896
Construction	...	...	...	62 Vict., 19	1898
Coolgardie Mining Exhibition	...	...	...	62 Vict., 18	1898
Repeal	...	...	...	64 Vict., 40	1900
Coolgardie Municipality, Validating General Rate	...	...	...	62 Vict., 31	1898
Town Lot 1911 revested in Her Majesty	...	...	...	64 Vict., 40	1900
COPYRIGHT	...	...	...	59 Vict., 24	1895
CORONER, Inquests	...	...	...	19 Vict., 10	1855
Amendment	...	...	...	27 Vict., 1	1863
(Fires)	...	...	...	...	...
And see "Inquests"	...	...	...	51 Vict., 14	1887
COURT OF APPEAL	...	...	...	50 Vict., 28	1886
Majority of Court to prevail	...	...	...	53 Vict., 15	1889
CRIMINAL LAW	...	...	...	...	...
Accessories to Indictable Offences	...	...	...	24 and 25 Vict., cap. 94, as adopted by 29 Vict., 5	1865
Aboriginal Offenders	...	...	...	47 Vict., 8	1883
Amendments	...	...	...	55 Vict., 18	1892
	...	...	...	56 Vict., 15	1893
Appeal	...	...	...	...	...
Points Reserved	...	...	...	50 Vict., 15	1886
Court of	...	...	...	50 Vict., 28	1886
Amendment	...	...	...	57 Vict., 8	1893
Arson	...	...	...	...	...
Firing of Farm Buildings	...	...	...	7 and 8 Vict., c. 62, as adopted by 12 Vict., 21	1849

CRIMINAL LAW—(continued).

Attorney General as Grand Jury	...	...	47 Vict., 6	1882
...	...	...	57 Vict., 6	1893
Capital Punishment, Abolition of	...	2 and 3 Gul. IV., c. 62, as adopted by 6 Gul. IV., 4		1835
...	...	7 Gul. IV. and 1 Vict., c. 91, as adopted by 2 Vict., 1		1839
...	...	...	34 Vict., 15	1870
...	...	5 and 6 Gul. IV., c. 81, as adopted by 7 Vict., 13		1844
Amendment	...	...	39 Vict., 1	1875
...	...	6 and 7 Gul. IV., c. 4, as adopted by 7 Vict., 13		1844
Case stated	...	...	23 Vict., 3	1859
...	...	...	50 Vict., 15	1886
Coin, Offences relating to...	24 and 25 Vict., c. 99, as adopted by 29 Vict., 5			1865
Consolidation				
Larceny, Forgery, &c.	24 and 25 Vict., c.c. 94 (96-100), and part of c. 95, as adopted by 29 Vict., 5			1865
Crimes, Prevention of	...	...	62 Vict., 13	1898
Evidence	...	6 and 7 Gul. IV., c. 111, as adopted by 7 Vict., 13		1844
...	...	...	16 Vict., 9	1852
...	...	...	34 Vict., 5	1870
...	...	...	34 Vict., 10	1870
of accused Persons	...	...	63 Vict., 8	1899
Explosive Substances	...	...	58 Vict., 12	1894
First Offenders	...	...	55 Vict., 6	1892
Forgery				
...	11 Geo. IV. and 1 Gul. IV., c. 66, as adopted by 6 Gul. IV., 4			1835
...	7 Gul. IV. and 1 Vict., c. 84, as adopted by 2 Vict., 1			1839
...	24 and 25 Vict., cap. 98, as adopted by 25 Vict., 5			1865
Merchandise Marks	...	...	52 Vict., 6	1888
Official Documents	...	...	10 Vict., 14	1847
Fugitive Offenders	...	...	41 Vict., 1	1877
Australasian	...	...	14 Vict., 18	1850
Federal Reference	...	...	50 Vict., 29	1886
...	...	...	56 Vict., 12	1893
Incest	...	...	55 Vict., 24	1892
Amendment	...	...	64 Vict., 29	1900
Indictable Offences out of Quarter Sessions	...	...	14 Vict., 4	1850
Amendment	...	...	37 Vict., 4	1872
Juvenile Offenders	10 and 11 Vict., c. 82, as adopted by 12 Vict., 21			1849
Larceny	24 and 25 Vict., cap. 96, adopted by 29 Vict., 5			1865
Summary Procedure...	...	...	20 Vict., 5	1855
by Partner or other Beneficial Owner	...	...	34 Vict., 11	1871
Libel	...	6 and 7 Vict., c. 96, as adopted by 10 Vict., 8		1847
of Members of Parliament	...	...	54 Vict., 4	1891
Monthly Criminal Sitings	...	...	63 Vict., 7	1899
Naval and Victualling Stores	...	...	31 Vict., 6	1867
Person, Offences against the	24 and 25 Vict., c. 100, adopted by 29 Vict., 5			1865
Procedure	...	...	16 Vict., 5	1852
...	...	...	16 Vict., 8	1852
...	...	...	29 Vict., 5	1865
Procuring	...	...	55 Vict., 24	1892
Amendment	...	...	64 Vict., 29	1900
Property, Malicious Injuries to	24 and 25 Vict., c. 97, as adopted by 29 Vict., 5			1865
Rape, Punishable by Death	...	...	29 Vict., 5	1865
Conviction for certain specified Offences on Acquittal for	...	...	55 Vict., 24	1892
Sittings, Criminal	...	...	63 Vict., 7	1899
Summary Jurisdiction	...	...	14 Vict., 5	1850
(Married Women)	...	...	60 Vict., 10	1896
Transportation abolished	...	...	19 Vict., 8	1855
Amendment	...	...	24 Vict., 1	1860
...	7 Gul. IV. and 1 Vict., c. 90, as adopted by 2 Vict., 1			1839
Treason Felony	...	...	32 Vict., 10	1868
...	33 and 34 Vict., c. 23, as adopted by 37 Vict., No. 8			1873

CRIMINAL LAW—(continued).

Trial						
Prisoner's Counsel	...	6 and 7 Gul. IV., c 114, as adopted by	7 Vict., 13	1844		
...	...	...	16 Vict., 5	1852		
More speedy	...	...	63 Vict., 7	1899		
Variances	...	...	16 Vict., 8	1852		
Violence						
by Convicts at large	...	...	17 Vict., 7	1853		
...	...	...	32 Vict., 9	1869		
at Night	...	...	16 Vict., 6	1852		
Amendment	...	...	23 Vict., 8	1859		
Whipping	...	...	48 Vict., 5	1884		
...	...	...	55 Vict., 18	1892		
Women and Girls, Protection of	...	...	55 Vict., 24	1892		
Amendment	...	...	64 Vict., 29	1900		
CROWN						
Lessees Arbitration	...	...	51 Vict., 27	1887		
...	...	...	52 Vict., 19	1888		
Petition of Right (see "Crown Suits").						
Resumption of Lands	...	...	58 Vict., 33	1894		
Resumption of Lands within Towns (and see "Streets")	...	...	17 Vict., 6	1853		
Revenue (Escheat)	...	...	31 Vict., 2	1867		
CROWN DEBTS						
...	...	...	2 Gul. IV., 5	1831		
2 and 3 Vict., c. 11, and 18 and 19 Vict., c. 15, as adopted by	...	...	31 Vict., 8	1867		
Amendment	...	...	34 Vict., 21	1870		
CROWN LANDS						
Alienation of	...	...	19 Vict., 5	1855		
Boundaries of	...	...	4 and 5 Vict., 20	1841-1842		
Amendment	...	...	48 Vict., 13	1884		
Reserves for Aborigines	...	...	52 Vict., 24	1888		
Sale, Occupation, and Management...	...	...	62 Vict., 20-37	1898		
Trespass upon	...	...	36 Vict., 8	1872		
Amendment (Sandalwood)	...	...	42 Vict., 4	1878		
...	...	...	46 Vict., 3	1882		
Amendment (Guano)	...	...	40 Vict., 9	1876		
Water Reserves	...	...	57 Vict., 20	1893		
CROWN SUITS						
...	...	...	62 Vict., 9	1898		
CUSTOMS						
...	...	...	55 Vict., 31	1892		
Amendment	...	...	59 Vict., 8	1895		
(and see "Tariff")	...	...	62 Vict., 5	1898		
...	...	...	63 Vict., 13	1899		
subject to Commonwealth Constitution Act	...	...	64 Vict., 14	1900		
Officers of, in relation to costs of Survey and Merchantmen	...	...	41 Vict., 14	1877		
DEATHS, Registration of						
...	...	...	58 Vict., 16	1894		
Amendment	...	...	64 Vict., 31	1900		
DEATH DUTIES						
...	...	...	59 Vict., 18	1895		
DEBENTURES FIRE BRIGADES BOARD	...	...	64 Vict., 38	1900		
DEBT						
...	...	11 Geo. IV. and 1 Gul. IV., c. 47, as adopted by	6 Gul. IV., 4	1835		
Absconding Debtors	...	...	8 Vict., 10	1845		
...	...	...	41 Vict., 17	1877		
Amendment	...	...	43 Vict., 24	1879		
Attachment for	...	...	6 Gul. IV., 3	1835		
to the Crown	...	...	2 Gul. IV., 5	1831		
Fraudulent Debtors	...	...	34 Vict., 21	1870		
Amendment	55 Vict., 32	1892		
to Innkeepers, by Lodger	51 Vict., 16	1887		

TABLE OF STATUTES IN FORCE.

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DEBT—(continued).

Recovery of	6 Vict., 15	1843
Intercolonial	19 Vict., 13	1855
from Real Estate (and see "Deceased Persons")	2 and 3 Vict., c. 60, as adopted by 7 Vict., 13	1844
...	...	...	...	...	25 Vict., 8	1861
...	...	...	...	...	29 Vict., 8	1865
...	...	...	...	...	34 Vict., 12	1870
Small	...	...	...	...	27 Vict., 21	1863
Amendments	...	...	...	...	51 Vict., 10	1887
...	...	...	...	...	58 Vict., 13	1894
Interest on Judgments	...	...	...	...	64 Vict., 27	1900

DECEASED PERSONS

Administration	...	...	1 Gul. IV., c. 40, 47, as adopted by 6 Gul. IV., 4	1835
...	...	...	3 and 4 Gul. IV., c. 104, as adopted by 6 Gul. IV., 4	1835
...	...	...	2 and 3 Vict., c. 60, as adopted by 7 Vict., 13	1844
...	...	...	17 and 18 Vict., c. 113, as adopted by 31 Vict., 8	1867
...	...	...	43 Vict., 11	1879
Abolition of Primogeniture	...	...	57 Vict., 9	1893
Unclaimed Balance	...	...	14 Vict., 12	1850
Curator of Estates of	...	...	47 Vict., 20	1883
Compensation for Accident	...	...	9 and 10 Vict., c. 93, as adopted by 12 Vict., 21	1849
Debts of	...	...	25 Vict., 8	1861
...	...	...	29 Vict., 8	1865
...	...	...	34 Vict., 12	1870
Escheat	...	...	4 and 5 Gul. IV., c. 23, as adopted by 7 Vict., 13	1844
Revenue from	...	...	31 Vict., 2	1867
...	...	...	31 Vict., 3	1867
...	...	...	32 Vict., 1	1868
...	...	...	33 Vict., 1	1869
Foreign Probate	...	...	43 Vict., 5	1879
Grants of Land to	...	...	21 Vict., 8	1857
Duties on Estates of	...	...	59 Vict., 18	1895

DECLARATIONS

by Affirmation	...	...	1 and 2 Vict., c. 77, as adopted by 7 Vict., 13	1844
Customs and Excise	...	...	1 and 2 Gul. IV., c. 4, as adopted by 6 Gul. IV., 4	1835
as to Indebtedness	...	...	25 Vict., 8	1861
in lieu of Oath	...	...	18 Vict., 12	1854
...	...	...	34 Vict., 10	1870
of Asiatics, &c.	...	...	55 Vict., 14	1892
of Quakers, &c.	...	...	3 and 4 Gul. IV., c. 49, as adopted by 7 Vict., 13	1844
may be taken by Clerks of Petty Session or of Local Court, and	...	...	...	...
Mining Registrars	...	...	60 Vict., 30	1896
Amendment	...	...	63 Vict., 37	1899

DEFENCES (see "Military").

DENTISTS	...	...	58 Vict., 19	1894
Amendment	...	...	63 Vict., 23	1899
DESEDITION, Naval	...	...	48 Vict., 6	1884
...	...	...	51 Vict., 9	1887

DESTITUTE PERSONS

Relief of	...	...	9 Vict., 2	1846
Amendment	...	...	39 Vict., 8	1875
Discipline of Imperial Paupers	47 Vict., 2	1883

DESTRUCTIVE INSECTS OR SUBSTANCES

...	62 Vict., 27	1898
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DESTRUCTIVE BIRDS, &c.

...	57 Vict., 22	1893
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DISEASES AFFECTING ORCHARDS AND GARDENS...

...	62 Vict., 27	1898
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DISEASES BEES, Eradication of

...	63 Vict., 10	1899
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DISENTAILING ASSURANCE

...	2 Gul. IV., 7	1831
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DISPUTES, INDUSTRIAL, SETTLEMENT OF

...	64 Vict., 20	1900
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DISTILLATION	64 Vict., 16	1900
DISTRESS FOR RENT, Lodgers' Goods	62 Vict., 2	1898
DIVIDEND DUTIES	...	...	...	...	...	63 Vict., 6	1899
DIVORCE AND MATRIMONIAL CAUSES							
...	...	...	...	...	...	27 Vict., 19	1863
Amendment	...	...	...	...	...	34 Vict., 7	1870
...	...	...	...	...	...	43 Vict., 9	1879
Amendment	...	...	...	...	...	60 Vict., 10	1896
DISTRESS	...	...	...	...	...	37 Vict., 1	1873
...	...	...	...	...	...	52 Vict., 17	1888
DOCUMENTS, Proof of	...	...	...	...	...	63 Vict., 9	1899
DOGS							
Registration	...	...	...	...	...	47 Vict., 13	1883
Amendments	...	...	...	...	...	49 Vict., 10	1849
...	...	...	...	...	...	63 Vict., 12	1899
DRAIN, Lake Kingsford to Claisebrook, Perth	...	...	...	...	...	38 Vict., 14	1874
DRAIN RATE							
Perth	...	...	...	...	...	39 Vict., 17	1875
Amendment	...	...	...	...	...	42 Vict., 8	1878
DRAINAGE OF LAND...	...	...	...	...	...	64 Vict., 22	1900
DREDGING FOR GOLD	...	...	...	...	...	63 Vict., 43	1899
DROVING	...	...	...	...	...	58 Vict., 34	1894
DUTIES, CUSTOM (see "Tariff").							
DUTIES, EXCISE (see "Excise").							
DUTIES ON DIVIDENDS	...	...	...	...	...	63 Vict., 6	1899
DUTIES ON ESTATES OF DECEASED PERSONS	...	...	...	...	...	59 Vict., 18	1895
EARLY CLOSING	...	...	...	...	...	62 Vict., 36	1898
ECCLESIASTICAL GRANT, Abolition of	...	...	...	...	...	59 Vict., 25	1895
EDUCATION							
Elementary	...	...	...	...	...	35 Vict., 14	1871
Amendments	...	...	...	...	...	38 Vict., 5	1874
...	...	...	...	...	...	41 Vict., 11	1877
...	...	...	...	...	...	57 Vict., 16	1893
...	...	...	...	...	...	63 Vict., 3	1899
Assisted Schools, Abolition of	...	...	...	...	...	59 Vict., 27	1895
ELECTORAL ACTS	...	...	...	...	...	63 Vict., 20	1899
...	...	...	...	...	...	60 Vict., 18	1896
ELECTRIC LIGHTING	...	...	...	...	...	55 Vict., 33	1892
EMPLOYERS' LIABILITY	...	...	...	...	...	58 Vict., 3	1894
EMPLOYMENT BROKERS	...	...	...	...	...	61 Vict., 24	1897
ERADICATION OF DISEASES IN BEES	...	...	...	...	...	63 Vict., 10	1899
ESCHEAT (see "Deceased Persons").							
EVIDENCE							
Acts of Parliament, Proof of	...	...	...	...	...	63 Vict., 9	1899
of Aborigines	...	...	...	...	...	4 and 5 Vict., 22	1841-2
...	...	...	...	...	...	7 Vict., 7	1844
...	...	...	...	...	...	12 Vict., 14	1848
by Interpreters	...	...	...	...	...	39 Vict., 2	1875
perpetuating Testimony in certain cases	...	...	...	...	...	5 and 6 Vict., c. 69, as adopted by 7 Vict., 13	1844
Bankers' Books	...	...	...	...	...	58 Vict., 6	1894
Competent Witnesses	...	...	...	...	...	10 Vict., 14	1847

EVIDENCE—(continued).

Contents of Public Books	...	...	60 Vict., 27	1896
Criminal Trials	...	...	16 Vict., 8	1852
...	...	...	34 Vict., 5	1870
...	...	...	34 Vict., 10	1870
Documentary (Forgery)	...	...	10 Vict., 14	1847
...	...	...	51 Vict., 7	1887
Documents, Judicial and Official	...	...	63 Vict., 9	1899
by Declaration	...	...	18 Vict., 12	1854
Husband and Wife	...	...	18 Vict., 14	1854
...	...	...	60 Vict., 8	1896
Execution of certain Deeds	...	...	19 Vict., 3	1855
Libel	...	6 and 7 Vict., c. 96, as adopted by	10 Vict., 8	1847
...	...	...	48 Vict., 12	1884
...	...	...	52 Vict., 18	1888
Seals, Official, Proof of	...	...	63 Vict., 9	1899
Signatures, Official, Proof of	...	...	63 Vict., 9	1899
Validity of Oaths	...	1 and 2 Vict., c. 105, as adopted by	7 Vict., 13	1844
Previous Conviction	...	6 and 7 Gul. IV., c. 111, as adopted by	7 Vict., 13	1844
by Persons dangerously ill	...	...	37 Vict., 4	1873
by Prisoners	...	...	43 Vict., 13	1879
by Accused Persons	...	...	63 Vict., 8	1899
Telegraph Messages	...	...	38 Vict., 6	1874
...	...	...	41 Vict., 12	1877
...	...	...	51 Vict., 26	1887
Title to Land	...	...	7 Vict., 9	1844
...	...	...	24 Vict., 3	1860
Witnesses	...	...	...	...
Protection of	...	...	39 Vict., 6	1875
Wills	...	7 Gul. IV. and 1 Vict., c. 26, as adopted by	2 Vict., 1	1839
...	...	...	18 Vict., 13	1854
EXCISE DUTY ON BEER	...	...	62 Vict., 4	1898
Amendment	...	...	63 Vict., 41	1899
EXHIBITION, MINING, Coolgardie	...	...	62 Vict., 18	1898
Repeal	...	...	64 Vict., 40	1900
EXPLOSIVE SUBSTANCES	...	...	58 Vict., 12	1894
...	...	...	59 Vict., 38	1895
Prohibition of Destruction of Fish	...	...	43 Vict., 2	1879
EXPORT OF ARMS	...	...	35 Vict., 9	1871
...	...	...	64 Vict., 18	1900
EXPORT DUTIES Repeal Act	...	...	59 Vict., 1	1895
EXTRADITION (see "Fugitive Offenders").	...	...	...	...
FACTORS	...	5 and 6 Vict., c. 39, as adopted by	7 Vict., 13	1844
Amendments	...	...	42 Vict., 3	1878
FEDERAL COUNCIL	...	48 and 49 Vict., c. 60, brought into operation in W.A. by	49 Vict., 24	1885
Corporations and Joint Stock Companies, Thursday Island,	...	...	...	...
King George Sound	...	...	50 Vict., 29	1886
Lunacy—Production of unproved Wills	...	...	53 Vict., 20	1889
Garrisons. Fugitive Offenders	...	...	56 Vict., 12	1893
Quarantine, Joint Stock Companies, Banking, Infectious Diseases	...	...	60 Vict., 7	1896
FEDERAL CONSTITUTION ENABLING ACT	...	...	60 Vict., 32	1896
Amendments	...	...	60 Vict., 46	1897
...	...	...	61 Vict., 3	1897
Provision for acceptance	...	...	63 Vict., 55	1900
Federal Parliament, Members of	...	...	64 Vict., 5	1900
...	...	...	64 Vict., 6	1900
FENCING	...	...	...	...
of Town and Suburban Allotments	...	...	4 Gul. IV., 4	1833
(Trespass)	...	...	46 Vict., 7	1882
FERTILISERS AND FEEDING STUFFS	...	...	59 Vict., 16	1895

GARDENS, ACCLIMATISATION, South Perth	...	...	...	62 Vict., 32	1898
GARROTTING, Punishment of	...	...	...	62 Vict., 13	1898
GAS COMPANY					
Perth	...	...	...	50 Vict., 33	1886
	...	...	...	56 Vict. (Private Act)	1893
	...	...	...	61 Vict. (Private Act)	1897
Cottesloe Lighting and Power	...	...	...	63 Vict. (Private Act)	1899.
GOATS, Destruction of	...	...	...	45 Vict., 3	1881
GOLDFIELDS (see "Minerals").					
GOODS, Sale of	...	...	...	59 Vict., 41	1895
Indorsement of Warrants	...	...	...	62 Vict., 3	1898
of Lodgers Distress for Rent	...	...	...	62 Vict., 2	1898
GRAVEYARDS	...	...	...	62 Vict., 25	1898
	...	...	...	63 Vict., 38	1899
GREENBUSHES					
Abolition of Town Site	...	...	...	57 Vict., 19	1893
GUANO, Removal of	...	...	...	40 Vict., 9	1876
GUN LICENSES	...	...	...	49 Vict., 18	1885
HAINAULT GOLD MINE	...	...	...	61 Vict., 4	1897
HARBOURS AND RIVERS					
Waterway	...	...	...	17 Vict., 4	1853
Execution of Process within	...	...	...	18 Vict., 10	1854
Pilotage and Shipping Dues	...	...	...	18 Vict., 15	1854
Amendment	...	...	...	37 Vict., 14	1873
	...	...	...	47 Vict., 17	1883
Anchorage	...	...	...	34 Vict., 22	1870
HAWKERS	...	...	...	55 Vict., 35	1892
Amendment	...	...	...	61 Vict., 7	1897
HEALTH ACT	...	...	...	62 Vict., 24	1898
Water Supply	...	...	...	55 Vict., 37	1892
Amendment	...	...	...	64 Vict., 25	1900
HIGH SCHOOL, Perth	...	...	...	40 Vict., 8	1876
Mortgages	...	...	...	47 Vict., 11	1883
Governors	...	...	...	55 Vict., 29	1892
Subsidy	...	...	...	61 Vict., 12	1897
HOMESTEADS (see "Land Act, 1898").					
HOSPITALS	...	...	...	58 Vict., 20	1894
HORSES (see "Stock, Wild Cattle and Horses").					
HOURS OF BUSINESS IN SHOPS	...	...	...	62 Vict., 36	1898
IMMIGRATION					
, Apprentices	...	...	...	6 Vict., 8	1843
Amendments	...	...	...	7 Vict., 11	1844
	...	...	...	12 Vict., 16	1848
	...	...	...	37 Vict., 12	1873
Prohibition and Restriction of	...	...	...	61 Vict., 13	1897
IMPORTED LABOUR					
Registry	...	...	...	61 Vict., 27	1897
Chinese	...	...	...	53 Vict., 3	1889
Amendment	...	...	...	57 Vict., 32	1893
IMPORTED STOCK (see "Stock").					
INCORPORATION OF ASSOCIATIONS	...	...	...	59 Vict., 20	1895
INDORSEMENT OF WARRANTS FOR GOODS	...	...	...	62 Vict., 3	1898
INDUSTRIAL SCHOOLS (see "Reformatories").					
Statistics of	...	...	...	61 Vict., 26	1897
INDUSTRIAL DISPUTES	...	...	...	64 Vict., 20	1900

INFANTS							
, Estates of	...	11 Geo. IV., and 1 Gul. IV., c. 65, as adopted by 6 Gul. IV., 4					1835
, Custody of	...	...	2 and 3 Vict., c. 54, as adopted by 7 Vict., 13				1844
INNKEEPERS, Relief of	...	...	...	...	51 Vict., 16		1887
INQUESTS							
Coroner's	...	...	...	...	19 Vict., 10		1856
	...	...	...	...	27 Vict., 1		1863
	...	...	...	...	12 Vict., 7		1849
	...	...	...	...	34 Vict., 15		1871
	...	...	...	sect. 63 of	44 Vict., 9		1880
On causes of Fires	...	...	...	...	51 Vict., 14		1887
INSCRIBED STOCK (see "Loan and Inscribed Stock").							
Local	...	...	...	...	62 Vict., 11		1898
INSECTS, Destructive	...	...	...	...	44 Vict., 5		1880
INSECT PESTS	...	...	...	...	62 Vict., 27		1898
Amendment	...	...	...	...	63 Vict., 14		1899
INSOLVENCY (see "Bankruptcy").							
INSURANCE, Life	...	...	...	...	53 Vict., 12		1889
INTERPRETATION	...	...	...	...	62 Vict., 30		1898
INVESTMENT OF TRUST FUNDS...	...	...	...	...	64 Vict., 12		1900
JETTIES, BRIDGES, &c.	...	...	...	...	42 Vict., 18		1878
JEWS MARRIAGE LAWS	...	...	...	...	62 Vict., 23		1898
JUDGMENTS, DECREES, AND ORDERS	...	1 and 2 Vict., c. 110, and 3 and 4 Vict., c. 82,					
		as adopted by 31 Vict., 8					1867
JUDGMENTS—INTEREST ON	...	...	...	...	64 Vict., 27		1900
JUDICIAL DOCUMENTS, Proof of	...	...	...	...	63 Vict., 9		1899
JURIES (Principal Act)	...	...	...	...	62 Vict., 10		1898
East and West Kimberley Juries	...	...	...	...	50 Vict., 27		1886
Attorney General as Grand Jury	...	...	...	...	47 Vict., 6		1883
Amendment	...	...	...	...	57 Vict., 6		1893
JUSTICES							
Protected from vexatious Actions	...	...	...	...	14 Vict., 1		1850
, Appeal from	...	...	...	...	23 Vict., 3		1859
Jurisdiction (R.M. or P.M.)	...	...	...	...	27 Vict., 17		1863
	...	...	...	...	43 Vict., 1		1879
Amendment	...	...	...	...	44 Vict., 4		1880
, Licensing	...	...	...	...	57 Vict., 25		1893
, Indictable Offences before	...	...	...	...	14 Vict., 4		1850
, Validating Penalties by	...	...	...	...	8 Vict., 12		1845
Summary Procedure	...	...	...	...	14 Vict., 5		1850
Amendment	...	...	...	...	37 Vict., 1		1873
Larceny	...	...	...	...	20 Vict., 5		1856
, Appointment of	...	...	...	...	59 Vict., 11		1895
, Wardens are <i>ex officio</i>	...	...	...	...	60 Vict., 30		1896
JUVENILE OFFENDERS	...	10 and 11 Vict., c. 82, as adopted by 12 Vict., 21					1849
KALGOORLIE MUNICIPAL LOAN MONEYS, RE-APPROPRIATION	...	...	...	...	64 Vict., 35		1900
KANGAROOS FOR FOOD	...	...	...	...	64 Vict., 33		1900
KING GEORGE SOUND							
Federal Reference Act	...	...	...	...	50 Vict., 29		1886
LABOUR							
Register of Imported	...	...	...	...	61 Vict., 27		1897
in mines on Sunday	...	...	...	...	63 Vict., 35		1899
LANDLORD AND TENANT	...	1 and 2 Vict., c. 74, as adopted by 7 Vict., 13					1844
Distress	...	...	...	...	37 Vict., 1		1873

LAND REGULATIONS (of 1872 as proclaimed in 1873, and those of 1878 and 1882)			
Crown Lessees' Arbitration	51 Vict., 27	1887	
(of 1887) " " " " " "	52 Vict., 19	1888	
Mineral Lands	55 Vict., 3	1892	
LANDS			
, Admiralty	27 Vict., 11	1863	
" " " " " "	63 Vict., 50	1899	
, Agricultural Purchase	60 Vict., 26	1896	
Amendments	61 Vict., 34	1897	
" " " " " "	62 Vict., 20	1898	
, Boundaries of Crown	4 and 5 Vict., 20	1841-2	
, Crown Consolidation	62 Vict., 37	1898	
Amendment	64 Vict., 15	1900	
, Ordnance	25 Vict., 2	1861	
Amendment	25 Vict., 19	1861	
Resumption	58 Vict., 33	1894	
Amendment	64 Vict., 30	1900	
Amendments	60 Vict., 42	1896	
" " " " " "	63 Vict., (Private Act)	1899	
Drainage	64 Vict., 22	1900	
LEGAL PRACTITIONERS	57 Vict., 12	1893	
LEGITIMACY	21 and 22 Vict., c. 93, adopted by 31 Vict., 8	1867	
LIBEL			
, Evidence in	6 and 7 Vict., c. 96, as adopted by 10 Vict., 8	1847	
, Newspapers	48 Vict., 12	1884	
" " " " " "	52 Vict., 18	1888	
, Criminal (see "Criminal Law").			
LIBRARY			
, Law and Parliamentary	37 Vict., 15	1873	
Amendment	53 Vict., 17	1889	
LICENSING LAW			
to sell Wine, Beer, and Spirits (Principal Act)	44 Vict., 9	1880	
Amendments	48 Vict., 14	1884	
" " " " " "	50 Vict., 26	1886	
" " " " " "	61 Vict., 25	1897	
" " " " " "	62 Vict., 34	1898	
" " " " " "	63 Vict., 4	1899	
" " " " " "	63 Vict., 21	1899	
Railway Refreshment Rooms	44 Vict., 21	1880	
" " " " " "	59 Vict., 15	1895	
Goldfields	52 Vict., 13	1888	
Pearl-dealers	63 Vict., 33	1899	
Provisional Certificate	53 Vict., 8	1889	
Composition of Bench—Clubs	57 Vict., 25	1893	
Gallon Licenses (Distillation Act)	35 Vict., 6	1871	
The Innkeepers Act	51 Vict., 16	1887	
Theatre Refreshment Rooms	59 Vict., 15	1895	
Still, for use in testing wine	45 Vict., 7	1881	
LIEN			
on Wool	30 Vict., 5	1866	
of Innkeepers	51 Vict., 16	1887	
of Workmen	61 Vict., 20	1897	
LIFE ASSURANCE	53 Vict., 12	1889	
LIGHTING AND POWER, Cottesloe	63 Vict. (Private Act)	1899	
LIMITATIONS			
Prescription shortened (Lord Tenterden's Act) 2 and 3 Gul. IV., c. 71,			
as adopted by 6 Gul. IV., 4		1835	
, of Actions (Real Property) 3 and 4 Gul. IV., c. 27, as adopted by 6 Gul. IV., 4		1835	
Amendment	42 Vict., 6	1878	

LOANS FOR PUBLIC WORKS

Lighthouses, Jetties, Telegraphs	...	...	36 Vict., 3	1872
Railways, Telegraphs	...	...	37 Vict., 19	1873
...	...	...	39 Vict., 21	1875
Railways	...	...	63 Vict., 44	1899
Eastern and Northern Railways—Roads, &c.	...	...	42 Vict., 22	1878
...	...	...	42 Vict., 32	1878
Eastern Railway—Eucla Telegraph	...	...	44 Vict., 22	1880
Eastern Railway—Northern Telegraph, Fremantle Jetty	...	...	46 Vict., 2	1882
Eastern Railway—Northern Telegraph, &c.	...	...	46 Vict., 22	1882
Harbour Works, Fremantle; Railways, Telegraphs, &c.	...	...	48 Vict., 26	1884
...	...	...	52 Vict., 12	1888
Harbour Works, Jetties, &c.	...	...	63 Vict., 44	1899
Roebourne-Derby Telegraph, &c.	...	...	49 Vict., 20	1885
...	...	...	53 Vict., 2	1889
Kimberley Telegraph, &c.	...	...	50 Vict., 23	1886
Swan River Improvements	...	...	51 Vict., 20	1887
Fremantle Jetty, &c., Government House, Steam Launch	...	...	51 Vict., 31	1887
South-Western, Yilgarn, Mullewa Railways; Fremantle, Geraldton, &c., Harbour Works; Goldfields, Telegraphs, Roads, Immigration, Surveys, &c.	...	...	54 Vict., 9	1891
Yilgarn, Mullewa, Eastern Railways, Rolling Stock, Workshops, Roads, Goldfields, Harbours, Schools, Perth Railway Station Site	...	...	57 Vict., 10	1893
Cue, Coolgardie, Bridgetown, Collie Railways, Harbour Works, Goldfields, Lighthouses, Telegraphs, Roads and Bridges, Agriculture, Perth Market, Cold Storage	...	...	58 Vict., 18	1894
Harbour Works at Geraldton, Re-appropriation	...	...	59 Vict., 9	1895
Coolgardie-Kalgoorlie Railway	...	...	59 Vict., 21	1895
Geraldton-Mullewa Railway	...	...	59 Vict., 9	1895
Coolgardie Goldfields Water Supply	...	...	60 Vict., 12	1896
Goldfields' Development	...	...	63 Vict., 44	1899
Departmental	...	...	63 Vict., 44	1899
Improvement of existing Railways, and Increase of Rolling Stock.	...	...
Development of Goldfields and Mineral Resources, Dock and Harbour Works. Water Supply and Sewerage for Towns	...	...	60 Vict., 28	1896
Amendment	...	...	61 Vict., 9	1897
Metropolitan Waterworks	...	...	62 Vict., 22	1898
Amendment	...	...	63 Vict., 34	1899
Re-appropriation	...	...	62 Vict., 7	1898
Loans for Public Works	...	...	64 Vict., 13	1900
LOAN AND INSCRIBED STOCK	...	...	48 Vict., 4	1884
Amendments	...	...	52 Vict., 20	1888
...	...	...	54 Vict., 13	1891
...	...	...	55 Vict., 5	1892
Local	...	...	61 Vict., 8	1897
...	...	...	62 Vict., 11	1898
LOANS CONSOLIDATION	...	...	60 Vict., 29	1896
Amendment	...	...	61 Vict., 9	1897
LOANS, MUNICIPAL	...	...	62 Vict., 26	1898
LOANS, MUNICIPAL (VALIDATING)	...	...	63 Vict., 5	1899
LOCAL BOARD OF HEALTH	...	...	62 Vict., 24	1898
LOCAL COURTS	...	...	27 Vict., 21	1863
Amendments	...	...	51 Vict., 10	1887
...	...	...	58 Vict., 13	1894
... 11 Geo. IV. and 1 Gul. IV., c. 65, as adopted by 6 Gul. IV., No. 4	...	...		1835
LOCAL	...	...
Register of Foreign Companies	...	...	61 Vict., 35	1897

LODGERS' GOODS, Distress for Rent	...	...	...	62 Vict., 2	1898
LUNACY	...	...	...	34 Vict., 9	1870
(Federal Reference)	...	...	...	53 Vict., 20	1889
MAGISTERIAL DISTRICTS	...	...	...	50 Vict., 17	1886
MAILS, CARRIAGE OF	...	...	...	64 Vict., 26	1900
MAINTENANCE	...	...	...	...	...
, Of Wife, Children, &c., being destitute	...	...	...	9 Vict., 2	1845
(and see "Bastardy")	...	...	...	...	...
MARRIAGE LAW	...	5 and 6 Gul. IV., c. 54, as adopted by	7 Vict., 13	1844	
...	...	21 and 22 Vict., c. 93, as adopted by	31 Vict., 8	1867	
...	...	...	58 Vict., 11	1894	
Registration	...	...	58 Vict., 16	1894	
Amendment	...	...	62 Vict., 23	1898	
...	...	...	64 Vict., 31	1900	
MARRIED WOMEN'S PROPERTY	...	...	55 Vict., 20	1892	
...	...	...	59 Vict., 22	1895	
...	...	...	60 Vict., 8	1896	
MASTER AND SERVANT	...	...	...	...	...
Principal Enactment	...	...	55 Vict., 28	1897	
Aborigines	...	...	50 Vict., 25	1886	
Amendment	...	...	55 Vict., 25	1892	
Apprenticeship	...	...	37 Vict., 12	1873	
All the Laws in force in England on 1st January 1873, as adopted by	...	...	37 Vict., 12	1873	
Employers' Liability	...	...	58 Vict., 3	1894	
Workmen's Lien	...	...	61 Vict., 20	1897	
Contracts about Fisheries...	...	...	10 Vict., 16	1847	
(and see "Imported Labour")	...	...	...	...	...
MEASURES AND WEIGHTS	...	...	3 Gul. IV., 2	1832	
Amendment	...	...	63 Vict., 11	1899	
MECHANICS' INSTITUTE (ALBANY)	...	...	48 Vict., 17	1884	
(SWAN RIVER)	...	...	50 Vict., 30	1886	
MEDICAL PRACTITIONERS	...	...	58 Vict., 36	1894	
...	...	...	59 Vict., 17	1895	
MEMBERS OF FEDERAL PARLIAMENT	...	...	64 Vict., 5	1900	
MEMBERS OF PARLIAMENT, PAYMENT OF	...	...	64 Vict., 32	1900	
MERCANTILE LAW	...	19 and 20 Vict., c. 97, as adopted by	31 Vict., 8	1867	
Amended by	...	...	59 Vict., 23	1895	
...	...	...	59 Vict., 41	1895	
METROPOLITAN WATERWORKS	...	...	62 Vict., 22	1898	
Amendment	...	...	63 Vict., 34	1899	
MILITARY	...	...	...	...	...
Foreign Service	...	...	38 Vict., 16	1874	
Safety of Defences	...	...	56 Vict., 4	1893	
Discipline of Garrisons (Federal Referring Act)	...	...	56 Vict., 2	1893	
Defence Forces	...	...	58 Vict., 2	1894	
Uniforms	...	...	59 Vict., 4	1895	
Exportation of Arms, etc.	...	...	35 Vict., 9	1871	
...	...	...	64 Vict., 18	1900	
MINERALS	...	...	...	...	...
Goldfields	...	...	17 Vict., 17	1853	
...	...	...	59 Vict., 40	1895	
...	...	...	60 Vict., 36	1896	
...	...	...	62 Vict., 16	1898	
...	...	...	64 Vict., 23	1900	
Mineral Lands Act	...	...	55 Vict., 3	1892	
As amended by	...	...	57 Vict., 30	1893	
...	...	...	63 Vict., 48	1899	
Mining on Private Land	...	...	62 Vict., 29	1898	
...	...	...	63 Vict., 31	1899	

MINES, SUNDAY LABOUR IN	63 Vict., 35	1899
Sluicing and Dredging for Gold	63 Vict., 43	1899
MINES AND COLLIERIES.—Regulation and Inspection of	59 Vict., 37	1895
... ..	63 Vict., 49	1899
MINING COMPANIES	62 Vict., 28	1898
MINING EXHIBITION, COOLGARDIE	62 Vict., 18	1898
Repeal	64 Vict., 40	1900
MINT ACT	59 Vict., 12	1895
Amendment	63 Vict., 2	1899
MONEY BILLS	57 Vict., 14	1893
MORTGAGEES AND TRUSTEES	17 Vict., 10	1853
22 and 23 Vict., c. 35, 23 and 24 Vict., c. 38, as adopted by	31 Vict., 8	1867
MUNICIPAL RATE, COOLGARDIE (VALIDATING)	62 Vict., 31	1898
MUNICIPALITIES	64 Vict., 8	1900
Waterworks	53 Vict., 13	1889
Preservation of Water	55 Vict., 37	1892
, Grazing of Cattle in	14 Vict., 8	1850
MUNICIPAL LOAN OF FREMANTLE, No. 5	53 Vict., 16	1889
MUNICIPAL LOAN, VICTORIA PARK	63 Vict., 5	1899
MUNICIPAL LOAN VALIDATION	63 Vict., 5	1899
NATURALIZATION ACT	35 Vict., 2	1871
NATURALIZATION OF CERTAIN ALIENS		
of Johann August Ludwig Preiss	4 and 5 Vict., No. 5 4 and 5 Vict., No. 6 4 and 5 Vict., No. 12 6 Vict., No. 12	1841
„ Frederick Waldeck		1841
„ Benjamin Franklin Simmons		1841
„ Franz Anthon Didrich Christian Helmich		1842
„ the same	12 Vict., No. 9	1849
„ Abraham Myers, Solomon Cook, Don Rosendo Salvado, the Reverend J. J. Joostens, Louis Langoulant	12 Vict., No. 10	1849
„ Thomas Frederick Gilman	14 Vict., No. 10	1850
„ Charles François Tondut, Samuel Augustus Wallace, Solomon Drolt	15 Vict., No. 3	1851
„ Right Reverend Jose Maria Benedict Serra	15 Vict., No. 4	1851
„ John Simpkins Barker and Thomas Pope	15 Vict., No. 6	1851
„ The Rev. Martin Griver, the Rev. Venancio Garrido, the Rev. Pedro Aragon	17 Vict., No. 11	1853
„ Charles Millar	19 Vict., No. 7	1855
„ Joannes Antonius Baesjou	22 Vict., No. 1	1858
„ Sanford Duryea	22 Vict., No. 9	1858
„ Hyman Lipschitz	23 Vict., No. 6	1859
„ Rev. Adolphe Joseph Lecaille	23 Vict., No. 7	1859
„ John Perejuan	23 Vict., No. 14	1860
„ The Very Reverend Raphael Martelli, the Reverend Francis Salvado, the Reverend Ildephonsus Bertran, the Reverend Emilian Coll	24 Vict., No. 13	1860
„ Ygnasi Anton Joseph Boladeras	24 Vict., No. 16	1860
„ Isidro Oriol	29 Vict., No. 6	1865
„ Bartolomi Ramis	31 Vict., No. 5	1867
„ Herman Look	31 Vict., No. 11	1867
„ August Bothe	31 Vict., No. 14	1867
„ George Andrew Seubert	33 Vict., No. 3	1869
„ Solomon Pekilman <i>alias</i> Chlom Reichberg	33 Vict., No. 4	1869
„ William Lawrence	33 Vict., No. 5	1869
„ Bernard Martinez	33 Vict., No. 14	1869
„ Peter Ferrara	34 Vict., No. 4	1871

NAVAL UNIFORMS ...	...	...	...	...	59 Vict., 4	1895
Stores, Export of	...	...	...	...	64 Vict., 18	1900
NAVY						
Royal (Supply of Liquor to Sailors. Desertion)	...	...	...	...	51 Vict., 9	1887
Australasian	...	...	...	...	51 Vict., 25	1887
NEGLIGENCE, Compensation for Deaths by	9 & 10 Vict., c. 93, as adopted by	12 Vict., 21	1849			
NEWCASTLE, Extension of Boundaries	...	...	...	...	24 Vict., 14	1860
NEWSPAPERS (see "Libel," "Registration").						
NOTES, BANK, Defacement of	...	...	...	...	63 Vict., 46	1899
NOXIOUS WEEDS	...	...	...	...	64 Vict., 11	1900
ODDFELLOWS' LODGE, 4,406	...	...	...	...	33 Vict., 7	1869
OFFICERS, Designations of Public	...	...	...	...	55 Vict., 13	1892
OFFICIAL DOCUMENTS, Proof of	...	...	...	...	63 Vict., 9	1899
OYSTERS (see "Fisheries").						
PARKS AND RESERVES.—Controlling	...	...	...	...	59 Vict., 30	1895
PARLIAMENT						
Constitution	...	...	...	...	52 Vict., 23	1888
Amendment (1)	...	...	...	...	56 Vict., 17	1893
Amendment (2)	...	...	...	...	60 Vict., 18	1896
House of Representatives, Federal	...	...	...	...	64 Vict., 6	1900
Members of Federal	...	...	...	...	64 Vict., 5	1900
Papers of	...	...	...	...	54 Vict., 3	1891
Privilege	...	...	...	...	54 Vict., 4	1891
Proof of Acts	...	...	...	...	63 Vict., 9	1899
Vacation of Seat	...	...	...	...	54 Vict., 6	1891
Ministerial Salaries	...	...	...	...	55 Vict., 23	1892
Continuity of Office of President and Speaker	...	...	...	...	56 Vict., 17	1893
Amendment	...	...	...	...	60 Vict., 18	1896
(and see "Constitution," "Electoral").						
Payment of Members	...	...	...	...	64 Vict., 32	1900
PARTNERSHIP	...	...	...	...	59 Vict., 23	1895
PASSENGERS (COLONIAL) in Coasting Vessels	...	...	...	...	60 Vict., 25	1896
PATENTS	...	...	...	...	52 Vict., 5	1887
	...	...	...	...	55 Vict., 15	1892
	...	...	...	...	58 Vict., 4	1894
Amendment	...	...	...	...	64 Vict., 39	1900
PAUPERS (see "Destitute Persons").						
PAWNBROKERS	...	...	...	...	24 Vict., 7	1860
Amendment	...	...	...	...	41 Vict., 10	1877
PAYMENT OF WORKMEN'S WAGES	...	...	...	...	62 Vict., 35	1898
Amendment	...	...	...	...	63 Vict., 15	1899
PAYMENT OF MEMBERS OF PARLIAMENT	...	...	...	...	64 Vict., 32	1900
PEARL SHELL (see "Fisheries").						
PENALTIES, Remission of	...	...	...	...	39 Vict., 20	1875
PENSIONS						
Civil Servants	...	...	...	...	35 Vict., 7	1871
Amendment	...	...	...	...	49 Vict., 4	1885
Judges	...	...	...	...	60 Vict., 24	1896
Annuity to Lady Barlee	...	...	...	...	49 Vict., 11	1885
„ to Lady Broome	...	...	...	...	61 Vict., 15	1897
PENSIONERS						
Barracks	...	...	...	...	27 Vict., 13	1863
Benevolent Society	...	...	...	...	37 Vict., 17	1873
PERIODICAL PAYMENTS, Apportionment	...	...	...	...	54 Vict., 8	1891

PERTH GAS CO. ...	...	...	...	...	50 Vict., 33	1886
Amendment ...	...	...	...	...	56 Vict. (Private Act)	1893
	...	...	...	...	61 Vict. (Private Act)	1897
PERTH MINT ...	...	...	...	...	59 Vict., 12	1895
Amendment ...	...	...	...	...	63 Vict., 2	1899
PERTH HIGH SCHOOL ...	...	...	...	...	40 Vict., 8	1876
Mortgages ...	...	...	...	...	47 Vict., 11	1883
Governors ...	...	...	...	...	55 Vict., 29	1892
Subsidy, Increase of ...	...	...	...	...	61 Vict., 12	1897
PERTH WORKING MEN'S ASSOCIATION ...	...	...	...	...	44 Vict., 12	1880
PESTS, INSECT ...	...	...	...	...	62 Vict., 27	1898
Amendment ...	...	...	...	...	63 Vict., 14	1899
PETTY SESSIONS						
Clerks of, may sign and issue Summonses, and administer Oaths					60 Vict., 30	1896
PHARMACY AND POISONS ...	...	...	...	...	58 Vict., 35	1894
Amendment ...	...	...	...	...	63 Vict., 36	1899
POLICE ACT ...	...	...	...	...	55 Vict., 27	1892
Amendment (1) ...	...	...	...	...	56 Vict., 10	1893
Amendment (2) ...	...	...	...	...	58 Vict., 26	1894
Amendment (3) ...	...	...	...	...	62 Vict., 21	1898
POLICE BENEFIT FUND ...	...	...	...	...	30 Vict., 10	1867
Amendment ...	...	...	...	...	48 Vict., 18	1884
POOR RELIEF ...	...	...	...	...	9 Vict., 2	1846
	...	...	...	...	46 Vict., 8	1882
Amendment ...	...	...	...	...	52 Vict., 10	1888
POST, TELEGRAPH AND TELEPHONES ...	...	...	...	...	57 Vict., 5	1893
Amendment ...	...	...	...	...	64 Vict., 34	1900
POWERS OF ATTORNEY ...	...	...	...	...	60 Vict., 3	1896
PRAWNS ...	...	...	...	...	40 Vict., 2	1876
PREVENTION OF CRIMES ...	...	...	...	...	62 Vict., 13	1898
PRISONS						
Rottnest ...	...	...	...	...	4 and 5 Vict., 21	1841-2
Regulating ...	...	...	...	...	12 Vict., 7	1849
Amendment ...	...	...	...	...	21 Vict., 12	1857
Fremantle ...	...	...	...	...	14 Vict., 22	1850
Shifting Prisoners ...	...	...	...	...	58 Vict., 10	1894
Discipline in cases of Murder	6 and 7 Gul. IV., c. 30, as adopted by	7 Vict., 13				1844
PRIMOGENITURE ABOLISHED ...	...	...	...	...	57 Vict., 9	1893
PRIVATE PROPERTY, Mining on ...	...	...	...	...	62 Vict., 29	1898
Amendment ...	...	...	...	...	63 Vict., 31	1899
, Streets in Municipality ...	...	...	...	...	62 Vict., 26	1898
PROBATE						
Court of Probate ...	...	...	...	...	24 Vict., 15	1860
, Foreign ...	...	...	...	...	43 Vict., 5	1879
, Intercolonial ...	...	...	...	...	53 Vict., 20	1889
PROOF OF ACTS OF PARLIAMENT ...	...	...	...	...	63 Vict., 9	1899
PROOF OF DOCUMENTS AND SEALS ...	...	...	...	...	63 Vict., 9	1899
PROTECTION OF ABORIGINAL NATIVES ...	...	...	...	...	61 Vict., 5	1897
PROTECTION OF PROPERTY ...	...	...	...	...	64 Vict., 19	1900
PUBLIC HEALTH ...	...	...	...	...	62 Vict., 24	1898
PUBLIC SERVICE ...	...	...	...	...	64 Vict., 21	1900
PURCHASE AGRICULTURAL LANDS ...	...	...	...	...	62 Vict., 20	1898

QUARANTINE	...	...	...	...	...	32 Vict., 12	1868
	...	...	...	...	...	52 Vict., 7	1888
Amendment	...	...	...	...	...	62 Vict., 24	1898
, Plants and Fruit	...	...	...	...	...	62 Vict., 27	1898
QUARTER SESSIONS	...	...	...	...	...	9 Vict., 4	1846
perpetuated by	...	...	...	...	...	12 Vict., 2	1849
(Kimberley)	...	...	...	...	...	50 Vict., 27	1886
RABBITS	...	...	...	...	...	47 Vict., 15	1883
Amendment	...	...	...	...	...	49 Vict., 15	1885
RAILWAYS ACT	...	...	...	...	...	42 Vict., 31	1878
Amendment	...	...	...	...	...	44 Vict., 17	1881
Amendment—By-laws, Compensation	...	...	...	...	...	43 Vict., 10	1879
Amendment	...	...	...	...	...	60 Vict., 34	1896
Amendment—Compensation	...	...	...	...	...	60 Vict., 42	1896
Amendment	...	...	...	...	...	61 Vict., 32	1897
	...	...	...	...	...	64 Vict., 24	1900
Refreshment Rooms	...	...	...	...	...	44 Vict., 21	1880
	...	...	...	...	...	59 Vict., 15	1895
Costs of Arbitration	...	...	...	...	...	46 Vict., 17	1882
Railway Servants	...	...	...	...	...	51 Vict., 1	1887
Accidents	...	...	...	...	...	53 Vict., 1	1889
Powers of Commissioner	...	...	...	...	...	55 Vict., 34	1892
Perth Railway Crossings	...	...	...	...	...	56 Vict., 6	1893
Arbitration	...	...	...	...	...	57 Vict., 17	1893
Plans of Proposed Railways—Unpaid Freights	...	...	...	...	...	58 Vict., 22	1894
Private Railways, Carriage of Mails	...	...	...	...	...	64 Vict., 26	1900
RAILWAYS CONSTRUCTION							
Owen's Anchorage—Fremantle	...	...	...	...	...	61 Vict., 31	1897
Rocky Bay and Rous Head	...	...	...	...	...	63 Vict., 51	1899
Eastern Railway							
Fremantle-Guildford	...	...	...	...	...	42 Vict., 27	1878
Bayswater-Perth Racecourse	...	...	...	...	...	60 Vict., 41	1896
Guildford-Chidlow's Well	...	...	...	...	...	44 Vict., 18	1880
Chidlow's Well-York	...	...	...	...	...	46 Vict., 16	1882
Amendment	...	...	...	...	...	47 Vict., 9	1883
	...	...	...	...	...	57 Vict., 29	1893
York-Beverley	...	...	...	...	...	49 Vict., 5	1885
York-Greenhills	...	...	...	...	...	60 Vict., 39	1896
Clackline-Newcastle	...	...	...	...	...	51 Vict., 11	1887
Spencer's Brook-Northam	...	...	...	...	...	50 Vict., 3	1886
Northam-Goomalling	...	...	...	...	...	63 Vict., 29	1899
Yilgarn Railway							
Norham-Southern Cross	...	...	...	...	...	55 Vict., 12	1892
Southern Cross-Coolgardie	...	...	...	...	...	58 Vict., 25	1894
Coolgardie-Kalgoorlie	...	...	...	...	...	59 Vict., 19	1895
Kalgoorlie-Kanowna	...	...	...	...	...	60 Vict., 37	1896
Kalgoorlie-Menzies	...	...	...	...	...	60 Vict., 44	1896
Kalgoorlie-Gnumballa Lake and Boulder Townsite Loop	...	...	...	...	...	61 Vict., 18	1897
Menzies-Leonora	...	...	...	...	...	63 Vict., 30	1899
South-Western Railway							
Bayswater-Bunbury	...	...	...	...	...	54 Vict., 14	1891
Bunbury-Boyanup	...	...	...	...	...	51 Vict., 4	1887
Bunbury Racecourse	...	...	...	...	...	61 Vict., 16	1897
Boyanup-Busselton	...	...	...	...	...	55 Vict., 2	1892
Boyanup-Minninup	...	...	...	...	...	55 Vict., 4	1892
Collie Coalfields	...	...	...	...	...	59 Vict., 33	1895
Collie Quarry	...	...	...	...	...	61 Vict., 17	1897
Donnybrook-Bridgetown	...	...	...	...	...	59 Vict., 32	1895

RAILWAYS CONSTRUCTION—(continued).

Midland Railway					
Guildford-Greenough	...	...	...	50 Vict., 24	1886
Midland Railway Loan Authorisation	...	...	...	56 Vict., 19	1893
Northern Railway					
Geraldton-Greenough	...	...	...	50 Vict., 2	1886
Geraldton-Northampton	...	...	...	37 Vict., 21	1873
Amendment	...	...	...	51 Vict., 22	1887
Geraldton-Mullewa	...	...	...	55 Vict., 19	1892
Mullewa-Cue	...	...	...	58 Vict., 24	1894
Cue-Nannine	...	...	...	60 Vict., 33	1896
Great Southern Railway					
Beverley-Albany	...	...	...	48 Vict., 21	1884
...	...	...	...	51 Vict., 30	1887
And see "Loans"					
Kalgoorlie-Gnumballa	...	...	...	64 Vict., 41	1900
RATES, Validation of Boulder Local Board of Health					
...	...	...	...	64 Vict., 49	1900

REAL PROPERTY

Amendment of the Law 8 and 9 Vict., c.c. 106, 119, 124, as adopted by 12 Vict., 21					
23 and 24 Vict., c. 38, as adopted by 31 Vict., 8					
Debts	...	...	3 and 4 Gul. IV., c. 104, as adopted by 6 Gul. IV., 4	1835	
...	...	...	25 Vict., 8	1861	
...	...	...	29 Vict., 8	1865	
...	...	...	57 Vict., 9	1893	
Conveyance by Bargain and Sale					
Registration of	...	...	2 Gul. IV., 7	1831	
Simple Statutory Form of 8 and 9 Vict., c. 106, as adopted by 12 Vict., 21	...	...	19 Vict., 14	1856	
Deeds, Registration of	...	...	19 Vict., 14	1855	
Devolution assimilated to Personality	...	...	57 Vict., 9	1893	
Disentailing Assurance	...	...	2 Gul. IV., 7	1831	
Forms of Equitable Mortgage and Conveyance					
Amendment	...	...	2 Gul. IV., 7	1831	
...	...	...	19 Vict., 3	1855	
Grants of Land to Deceased Persons	...	...	21 Vict., 8	1857	
Judgment against Real Property	23 and 24 Vict., c. 38, as adopted by 31 Vict., 8	...	...	1867	
Lease and Release superseded	...	...	7 Vict., 4	1844	
Limitation of Actions	3 and 4 Gul. IV., c. 27, as adopted by 6 Gul. IV., 4	...	...	1835	
Amendment	...	...	42 Vict., 6	1878	
Married Women's Property					
...	...	...	55 Vict., 20	1892	
...	...	...	59 Vict., 22	1895	
Partition	...	...	42 Vict., 1	1878	
Contingent Remainders	...	...	42 Vict., 2	1878	
Quieting of Titles	...	...	7 Vict., 9	1844	
Amendment	...	...	24 Vict., 3	1860	
Registration of Deeds	...	...	19 Vict., 14	1856	
Settled Estates	...	...	55 Vict., 10	1892	
Sheriff's Bill of Sale	...	...	25 Vict., 8	1861	
Transfer of Land Act	...	...	56 Vict., 14	1893	
Amendment	...	...	60 Vict., 22	1896	
Trustees					
...	...	...	64 Vict., 17	1900	
, Exchange by	...	...	16 Vict., 17	1852	
, Relief of	...	22 and 23 Vict., c. 38, as adopted by 31 Vict., 8	...	1867	
Trustees and Mortgagees	...	...	17 Vict., 10	1853	
...	23 and 24 Vict., c. 145, as adopted by 31 Vict., 8	...	...	1867	
Vendor and Purchaser	...	...	42 Vict., 10	1878	
...	...	...	43 Vict., 8	1879	
Wills					
Construction of	...	...	34 Vict., 1	1871	
RECOGNISANCES, Forfeiture of					
...	...	...	25 Vict., 5	1861	
...	...	...	43 Vict., 13	1879	

RECRUITING							
Foreign	...	...	...	...	...	38 Vict., 16	1874
REFORMATORIES AND INDUSTRIAL SCHOOLS						38 Vict., 11	1874
Amendments	...	...	...	...	...	41 Vict., 7	1877
	...	...	...	...	...	46 Vict., 20	1882
	...	...	...	...	...	56 Vict., 5	1893
REGISTRATION							
Bills of Sale	...	...	...	...	...	63 Vict., 45	1899
Births, Deaths, and Marriages	...	...	...	...	...	58 Vict., 16	1894
Amendment	...	...	...	...	...	64 Vict., 31	1900
Companies	...	...	...	...	...	56 Vict., 8	1893
Amendment	...	...	...	...	...	60 Vict., 2	1896
Local, of Foreign	...	...	...	...	...	61 Vict., 35	1897
of Shareholders	...	...	...	...	...	62 Vict., 28	1898
Deeds, Wills, Judgments, Conveyances	...	...	...	...	...	19 Vict., 14	1855
	...	...	...	...	...	31 Vict., 8	1867
Employment Brokers	...	...	...	...	...	61 Vict., 24	1897
Firms	...	...	...	...	...	61 Vict., 14	1897
	...	...	...	...	...	63 Vict., 26	1899
Lien on Wool	...	...	...	...	...	30 Vict., 5	1866
Mines	...	...	...	...	...	63 Vict., 49	1899
Newspapers	...	...	...	...	...	48 Vict., 12	1884
Patents and Trade Marks...	...	...	...	...	...	48 Vict., 7	1884
	...	...	...	...	...	52 Vict., 5	1887
	...	...	...	...	...	55 Vict., 15	1892
	...	...	...	...	...	58 Vict., 4	1894
Title to Land	...	...	...	...	...	56 Vict., 14	1893
RELIGIOUS BODIES							
Church Building and Maintenance of Ministers	...	...	...	...	...	4 Vict., 6	1841
Amendments	...	...	...	...	...	6 Vict., 7	1843
	...	...	...	...	...	7 Vict., 16	1844
Church of England							
Synod	...	...	...	...	...	49 Vict., 19	1885
Diocesan Trustees	...	...	...	...	...	52 Vict., 2	1888
	...	...	...	...	Private Act (2)	56 Vict.,	1893
Empowering Sale of certain Lands...	...	...	...	...	Private Act (1)	60 Vict.,	1896
Congregationalists	...	...	...	...	...	18 Vict., 16	1854
Wesleyan Methodists	...	...	...	...	Private Act (2) of	59 Vict.,	1895
Presbyterians	...	...	...	...	...	48 Vict., 20	1884
Roman Catholics	...	...	...	...	...	22 Vict., 4	1858
Abolition of Parliamentary Grant to Certain Religious Bodies	...	...	...	...	...	59 Vict., 25	1895
Incorporation of Religious and Other Bodies	...	...	...	...	...	59 Vict., 20	1895
Enabling Roman Catholics to Mortgage Church Lands.	Private						
Act (1)	...	...	...	...	...	59 Vict.,	1895
RENTS, Apportionment of						54 Vict., 8	1891
Distress for, Lodgers Goods	...	...	...	...	...	62 Vict., 2	1898
REPEALED STATUTES, Non-Revivor of						16 Vict., 11	1852
REPRESENTATIVES, Members of House of Federal						64 Vict., 5	1900
	...	...	...	...	...	64 Vict., 6	1900
RESERVES AND PARKS, Controlling						59 Vict., 30	1895
Reserves, Permanent	...	...	...	...	...	63 Vict., 24	1899
RESUMPTION OF LANDS							
within Towns	...	...	...	...	...	17 Vict., 6	1854
by Commissioner of Railways	...	...	...	...	...	42 Vict., 31	1878
	...	...	...	...	...	43 Vict., 10	1879
	...	...	...	...	...	44 Vict., 17	1881
	...	...	...	...	...	46 Vict., 17	1882
	...	...	...	...	...	57 Vict., 17	1893

RESUMPTION OF LANDS—(continued).
by Commissioner of Crown Lands

...	...	...	...	...	58 Vict., 33	1894
Amendment	...	...	...	...	64 Vict., 30	1900
...	...	...	...	...	60 Vict., 42	1896
REVENUE, CONSOLIDATED, Application of	...	...	...	...	62 Vict., 1-6-12	1898
...	...	...	...	...	63 Vict., 1	1899
...	...	...	...	...	64 Vict., 1-4	1900
ROADS BOARDS, Carts and Carriage Licenses	...	...	...	...	40 Vict., 5	1876
ROADS ACT	...	...	...	...	52 Vict., 16	1888
Amendments	...	...	...	...	52 Vict., 22	1888
...	...	...	...	...	58 Vict., 17	1894
ROADS, Closure of (see "Streets").						
ROTTNEST						
a Prison	...	...	...	...	4 and 5 Vict., 21	1841-2
SALE OF CROWN LANDS	...	...	...	...	62 Vict., 37	1898
, Wine, Beer, and Spirits (see "Licensing Laws").						
, Liquors	...	...	...	...	63 Vict., 4	1899
SANDALWOOD						
, Removal of, from Crown Lands	...	...	...	...	62 Vict., 37	1898
...	...	...	...	...	46 Vict., 3	1882
, Repeal of Export Duty upon	...	...	...	...	59 Vict., 1	1895
SAND-DRIFT	...	...	...	...	53 Vict., 5	1889
Geraldton	...	...	...	...	36 Vict., 10	1872
SAVINGS BANK	...	...	...	...	57 Vict., 3	1893
Rate of Interest	...	...	...	...	59 Vict., 5	1895
Amendment	...	...	...	...	64 Vict., 10	1900
Amendment of Act of 1893	...	...	...	...	60 Vict., 15	1896
SCHOOLS, ELEMENTARY (see "Education").						
SEALS, OFFICIAL, Proof of	...	...	...	...	63 Vict., 9	1899
SEAMEN, Relief to	...	...	...	...	34 Vict., 2	1870
...	...	...	...	...	44 Vict., 1	1880
(Foreign) Offences by	...	...	...	...	42 Vict., 19	1878
of Royal Navy. Desertion	...	...	...	...	51 Vict., 9	1887
SEATS for Shop Assistants	...	...	...	...	63 Vict., 52	1899
SERVICE, PUBLIC	...	...	...	...	64 Vict., 21	1900
SETTLED LAND ACT	...	...	...	...	55 Vict., 10	1892
SHEEP						
Inspection	...	...	...	...	52 Vict., 11	1888
Scab	...	...	...	...	54 Vict., 16	1891
Amendments	...	...	...	...	56 Vict., 13	1893
...	...	...	...	...	58 Vict., 27	1894
SHERIFF, Office of	...	...	...	...	2 Gul. IV., 3	1832
Bill of Sale of Real or Personal Property	...	...	...	...	25 Vict., 8	1861
SHIPPING, Survey of Merchantmen	...	...	...	...	41 Vict., 14	1877
SHOPS, Closure of	...	...	...	...	62 Vict., 36	1898
Shop Assistants, Seats for	...	...	...	...	63 Vict., 52	1899
SHORTENING ORDINANCE						
Repeal and Re-enactment	...	...	...	...	62 Vict., 30	1898
SIGNATURES, OFFICIAL, Proof of	...	...	...	...	63 Vict., 9	1899
SINKING FUND (see "Loan and Inscribed Stock").						
SLANDER OF WOMEN	...	...	...	...	64 Vict., 36	1900
SLUICING AND DREDGING FOR GOLD	...	...	...	...	63 Vict., 43	1899
STAMP ACT	...	...	...	...	46 Vict., 6	1882
Amendment	...	...	...	...	57 Vict., 31	1893

STANDARD TIME	...	...	...	...	...	59 Vict., 2	1895
STATISTICS							
Industrial	...	...	...	...	...	61 Vict., 26	1897
STATUTORY DECLARATIONS	...	...	...	...	...	63 Vict., 37	1899
STEAM BOILERS	...	...	...	...	...	61 Vict., 22	1897
STOCK							
Branding	...	...	...	...	...	45 Vict., 7	1881
(Sheep)	...	...	...	...	...	46 Vict., 18	1882
(Camels, &c.)	...	...	...	...	...	49 Vict., 3	1885
Droving	...	...	...	...	...	58 Vict., 34	1894
Exported Horses	...	...	...	...	...	38 Vict., 3	1874
Imported Stock							
Infectious Diseases	...	...	...	...	...	59 Vict., 34	1895
Inspection	...	...	...	...	...	52 Vict., 11	1888
Stock Tax	...	...	...	...	...	62 Vict., 5	1898
Sheep (scab)	...	...	...	...	...	54 Vict., 16	1891
	...	...	...	...	...	56 Vict., 13	1893
	...	...	...	...	...	58 Vict., 27	1894
Trespass	...	...	...	...	...	46 Vict., 7	1882
Wild Horses	...	...	...	...	...	34 Vict., 24	1870
Amendments	...	...	...	...	...	42 Vict., 14	1878
	...	...	...	...	...	47 Vict., 23	1883
Repeal of Duty	...	...	...	...	...	64 Vict., 3	1900
STOCK, LOCAL INSCRIBED	...	...	...	...	...	62 Vict., 11	1898
STREETS, TERRACES, &c.							
Alignment of	...	...	...	...	...	8 Vict., 8	1845
Boundary Posts	...	...	...	...	...	16 Vict., 16	1852
CLOSURE OR EXTENSION OF							
Albany							
Spencer Street	...	...	...	...	...	32 Vict., 7	1868
certain Streets	...	...	...	...	...	64 Vict., 47	1900
Avon Location 28, Road N.W. of	...	...	...	...	...	60 Vict., 9	1896
Bardoc							
part of Wells Street	...	...	...	...	...	61 Vict., 29	1897
part of certain Streets, as scheduled	...	...	...	...	...	62 Vict., 14	1898
Beverley							
part of Taylor Street	...	...	...	...	...	62 Vict., 14	1898
Bridgetown							
area in Townsite, as scheduled	...	...	...	...	...	61 Vict., 29	1897
Avon Location 188, Road S.E. of	...	...	...	...	...	60 Vict., 9	1896
Broad Arrow							
Yabsley Street	...	...	...	...	...	64 Vict., 47	1900
Bunbury							
parts of certain Streets, as scheduled	...	...	...	...	...	58 Vict., 31	1894
	...	...	...	...	...	61 Vict., 29	1897
part of Wittenoom Street...	...	...	...	...	...	62 Vict., 14	1898
Busselton							
Albert and Peel Streets	...	...	...	...	...	58 Vict., 14	1894
Stanley, Prince, and Albert Streets...	...	...	...	...	...	60 Vict., 16	1896
Vines Street	...	...	...	...	...	45 Vict., 14	1881
Capel							
parts of certain Streets	...	...	...	...	...	63 Vict., 22	1899
Carnarvon							
part of certain Streets, as scheduled	...	...	...	...	...	62 Vict., 14	1898
Chidlow's Well							
parts of certain Streets, as scheduled	...	...	...	...	...	61 Vict., 29	1897
Cookernup							
parts of certain Streets	...	...	...	...	...	63 Vict., 22	1899

STREETS, ETC.—(continued).

CLOSURE OR EXTENSION OF—(continued).

Coolgardie					
parts of certain Streets, as scheduled	...	...	61 Vict., 29	1897	
part of Lyon Street	...	...	62 Vict., 14	1898	
part of certain Streets	...	...	63 Vict., 22	1899	
Cue					
part of Vulcan Street	...	...	62 Vict., 14	1898	
Fremantle					
parts of certain Streets, as scheduled	...	...	41 Vict., 6	1877	
Collie Street	...	...	25 Vict., 1	1861	
Amendment	...	...	25 Vict., 14	1861	
Essex Street	...	...	21 Vict., 4	1857	
Stirling Street	...	...	58 Vict., 7	1894	
parts of certain Streets, as scheduled	...	...	62 Vict., 14	1898	
...	...	...	62 Vict., 33	1898	
...	...	...	63 Vict., 22	1899	
certain Streets	...	...	64 Vict., 47	1900	
Fremantle, East					
part of certain Streets	...	...	63 Vict., 22	1899	
Fremantle, North					
Lilburn Road, Pensioner Road, and an unnamed Street	...	...	60 Vict., 9	1896	
John Street	...	...	61 Vict., 29	1897	
Water Street	...	...	64 Vict., 48	1900	
parts of certain Streets	...	...	63 Vict., 22	1899	
Gingin					
parts of certain Streets	...	...	63 Vict., 22	1899	
Guildford					
Drummond Street	...	...	50 Vict., 22	1886	
Terrace Road	...	...	44 Vict., 15	1880	
Waylen Street	...	...	34 Vict., 3	1870	
Greenmount					
Sub. Lots 119, 120	...	...	60 Vict., 17	1896	
Helena Vale					
parts of certain Streets, as scheduled	...	...	62 Vict., 14	1898	
(near) parts of certain Streets	...	...	63 Vict., 22	1899	
Kalgoorlie					
part of Wittenoom Street	...	...	62 Vict., 14	1898	
certain Streets	...	...	64 Vict., 47	1900	
Kanowna					
parts of certain Streets, as scheduled	...	...	62 Vict., 14	1898	
Katanning					
Harris Street	...	...	64 Vict., 47	1900	
Kelmscott					
part of certain Streets	...	...	63 Vict., 22	1899	
Lake Side					
certain Streets, as scheduled	...	...	62 Vict., 14	1898	
Marble Bar					
General Street	...	...	60 Vict., 17	1896	
Moorebank					
Brassey Terrace	...	...	64 Vict., 47	1900	
Mullewa					
Davis Road	...	...	60 Vict., 16	1896	
Narrogin					
parts of certain Streets	...	...	63 Vict., 22	1899	
Norseman					
part of Morgan Street	...	...	62 Vict., 14	1898	
part of certain Streets	...	...	63 Vict., 22	1899	
Northam					
part of certain Streets, as scheduled	...	...	62 Vict., 14	1898	

STREETS, ETC.—(*continued*).CLOSURE OR EXTENSION OF—(*continued*).

Perth			
Beaufort and Stirling Streets	...	56 Vict., 6	1893
Bellevue Terrace and Park Road (Perth Park)	...	60 Vict., 23	1896
Brook, King, and Stokes Streets	...	39 Vict., 7	1875
Brown Street (part)	...	62 Vict., 14	1898
Edward Street (part)	...	60 Vict., 9	1896
Havelock Street (part)	...	62 Vict., 14	1898
Kensington Lane	...	57 Vict., 23	1893
...	...	60 Vict., 9	1896
Milligan and Prince Streets, Albert Square, and part of St.			
George's Terrace	...	27 Vict., 13	1863
Parry Street	...	62 Vict., 14	1898
Pier Street	...	22 Vict., 8	1858
Sampson Street (part)	...	62 Vict., 14	1898
Small Street (part)	...	62 Vict., 14	1898
St. George's Terrace	...	28 Vict., 9	1864
St. George's Terrace (part of)	...	63 Vict., 22	1899
Irene and Lincoln Streets (portion of)	...	64 Vict., 47	1900
Bellevue Terrace	...	64 Vict., 47	1900
Swan Locations R and R 1, Road between	...	60 Vict., 9	1896
Pingelly			
Pemberton Lane	...	62 Vict., 14	1898
Stone, Box, and Queen Streets	...	64 Vict., 47	1900
Pinwernying			
part of certain Streets	...	63 Vict., 22	1899
Southern Cross			
(right-of-way)	...	64 Vict., 47	1900
Toodvay			
Francis Street	...	64 Vict., 47	1900
Victoria Park			
Cashel Street	...	64 Vict., 46	1900
Colombo Street	...	64 Vict., 46	1900
Wagin			
part of Unicorn Street	...	63 Vict., 22	1899
Wyndham			
Gambier Street (part)	...	62 Vict., 14	1898
Wonnerup			
parts of certain Roads, as scheduled	...	55 Vict., 26	1892
Garlongup Road (part)	...	62 Vict., 14	1898
York			
Avon Terrace	...	60 Vict., 9	1896
Seventh and Eighth Streets	...	48 Vict., 11	1884
part of Macartney Street	...	63 Vict., 22	1899
SUITS, CROWN	...	62 Vict., 9	1898
SUMMARY JURISDICTION (<i>see</i> "Criminal Law").			
SUPPLY, 1895-1896	...	59 Vict., 6	1895
SUPREME COURT			
Administration of Justice	3 and 4 Gul. IV., c. 42, as adopted by 6 Gul. IV. 4		1835
Supreme Court Acts	...	24 Vict., 15	1860
...	...	44 Vict., 10	1880
Criminal Appeal	...	50 Vict., 15	1886
Court of Appeal	...	50 Vict., 28	1886
Majority of Court to prevail	...	53 Vict., 15	1889
Rules and Fees	...	55 Vict., 11	1892
2nd Puisne Judge	...	55 Vict., 17	1892
Criminal Appeal	...	57 Vict., 8	1893
Arbitration	...	59 Vict., 13	1895
Criminalittings	...	63 Vict., 7	1899

SURVEY OF MERCHANT SHIPS—Costs of	...	...	...	41 Vict., 14	1877
SURVEYORS, Licensed...	...	...	...	59 Vict., 14	1895
SWAN RIVER MECHANICS' INSTITUTE	...	...	...	50 Vict., 30	1886
TARIFF	...	...	...	57 Vict., 11	1893
Amendment	...	...	...	62 Vict., 5	1898
Amendment	...	...	...	64 Vict., 3	1900
Pearl Shells	...	...	...	50 Vict., 7	1886
	...	...	...	53 Vict., 9	1889
	...	...	...	59 Vict., 1	1895
Repeal of Duties on certain Materials and Merchandise	...	...	...	59 Vict., 8	1895
	...	...	...	60 Vict., 13	1896
Unmanufactured Tobacco	...	...	...	60 Vict., 14	1896
TELEGRAPHIC MESSAGES	...	...	...	...	...
, Property in	...	...	...	36 Vict., 7	1872
, as Evidence, &c.	...	...	...	38 Vict., 6	1874
	...	...	...	41 Vict., 12	1877
	...	...	...	51 Vict., 26	1887
TELEGRAPHS AND TELEPHONES	...	...	...	57 Vict., 5	1893
THURSDAY ISLAND (Federal Reference Act)	...	...	...	50 Vict., 29	1886
TOLLS from Wharves, &c.	...	...	...	14 Vict., 7	1850
TOTALISATOR	...	...	...	47 Vict., 26	1883
Amendment	...	...	...	63 Vict., 32	1899
TOWNS	...	...	...	...	...
not being Municipalities, Improvements of	...	...	...	34 Vict., 6	1871
, Boundaries within	...	...	...	8 Vict., 8	1845
	...	...	...	8 Vict., 9	1845
	...	...	...	16 Vict., 16	1852
	...	...	...	48 Vict., 13	1884
Lands in, resumed by Crown	...	...	...	17 Vict., 6	1853
TRADE MARKS	...	...	...	...	...
Registration	...	...	...	48 Vict., 7	1884
Amendment	...	...	...	50 Vict., 5	1886
	...	...	...	58 Vict., 4	1894
, Fraudulent	...	...	...	52 Vict., 6	1888
TRAMWAYS	...	...	...	49 Vict., 23	1885
Perth	...	...	...	61 Vict., 30	1897
Amendment	...	...	...	63 Vict., 42	1899
Cossack-Roebourne	...	...	...	50 Vict., 4	1886
Subiaco	...	...	...	63 Vict., 27	1899
Fremantle Harbour Works and Tramway	...	...	...	56 Vict., 16	1893
Leederville	...	...	...	64 Vict., 42	1900
Kalgoorlie	...	...	...	64 Vict., 43	1900
Fremantle	...	...	...	64 Vict., 44	1900
Kalgoorlie Roads Board District	...	...	...	64 Vict., 45	1900
TRANSFER OF LAND ACT	...	...	...	56 Vict., 14	1893
Amendment	...	...	...	60 Vict., 22	1896
TREASURY BILLS	...	...	...	57 Vict., 2	1893
Amendment	...	...	...	61 Vict., 1	1897
TRESPASS	...	...	...	...	...
on Crown Lands	...	...	...	62 Vict., 37	1898
(and see "Guano," "Sandalwood").	...	...	...	...	...
by Stock	...	...	...	46 Vict., 7	1882
Amendment	...	...	...	48 Vict., 16	1884
TRUCK ACT	63 Vict., 15	1899
Amendment	64 Vict., 9	1900

TABLE OF STATUTES IN FORCE.

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TRUSTEES	64 Vict., 17	1900
for Public Purposes, Exchange by	16 Vict., 17	1852
and Mortgages	17 Vict., 10	1853
22 and 23 Vict., c. 35, and 23 and 24 Vict., c.c. 38, 145, as adopted by	31 Vict., 8	1867
of certain Public Bodies, Mortgages by	56 Vict., 7	1893
Executor and Agency Company, Limited	56 Vict. (Private Act)	1893
TRUST FUNDS, Investment of	64 Vict., 12	1900
TURF CLUB, Western Australian	55 Vict. (Private Act)	1892
UNIFORMS (see "Naval," "Military").		
USURY	30 Vict., 1	1866
VACCINATION	42 Vict., 13	1878
VINES (see "Destructive Insects").		
VOLUNTEER FORCE (see "Military").		
WAGES (see "Master and Servant").		
WAGES OF WORKMEN, Payment of	62 Vict., 35	1898
Amendment	63 Vict., 15	1899
WARRANTS OF GOODS, Indorsement	62 Vict., 3	1898
WATER RESERVES	57 Vict., 20	1893
WATER SUPPLY		
Municipalities	55 Vict., 37	1892
Coolgardie Goldfields	62 Vict., 19	1898
Crown Lands	57 Vict., 20	1893
Waterworks	53 Vict., 13	1889
Metropolitan	60 Vict., 19	1896
Amendment	62 Vict., 22	1898
(Fremantle)	63 Vict., 34	1899
Peppermint Grove, Cottesloe, and Buckland Hill	63 Vict., 53	1899
WEEDS, NOXIOUS	64 Vict., 11	1900
WEIGH BRIDGES	60 Vict., 11	1896
WEIGHTS AND MEASURES	3 Gul. IV., 2	1832
Amendment	63 Vict., 11	1899
WEST AUSTRALIAN TRUSTEES, EXECUTORS, AND AGENCY CO., LTD.	56 Vict. (Private Act)	1893
WESTERN AUSTRALIAN BANK		
Continuation of Corporation and Extension of Powers (Private Act 2)	60 Vict.	1896
WHALING, &C., BY FOREIGNERS	24 Vict., 12	1860
WHARVES (see "Jetties").		
WHEEL TIRES, Apportioning width of	59 Vict., 39	1895
WHIPPING		
, Regulation of	48 Vict., 5	1884
Amendment	55 Vict., 18	1892
(see also 10 and 11 Vict., c. 82, sect. 1; see vol of Adopted Statutes 24 and 25 Vict., c. 96, sect. 9).		
Punishment of	62 Vict., 13	1898
WILD CATTLE AND HORSES	34 Vict., 24	1870
... ..	42 Vict., 14	1878
... ..	47 Vict., 23	1883
WILLS	7 Gul. IV., and 1 Vict., c. 26, as adopted by 2 Vict., 1	1839
Amendment	18 Vict., 13	1854
Construction of	34 Vict., 1	1870
Registration of	19 Vict., 14	1856
Unproved (Federal Reference)	53 Vict., 20	1889

WINE, License to test	...	...	...	...	...	45 Vict., 9	1881
WINES, BEER, AND SPIRITS (see "Licensing Law").							
WOMEN, Slander of ...	...	...	...	...	...	64 Vict., 36	1900
WORKMEN'S WAGES ...	...	...	...	...	...	62 Vict., 35	1898
WRECKS ...	...	...	...	...	...	28 Vict., 2	1864
Amendments	...	...	...	...	...	35 Vict., 11	1871
	...	...	...	...	...	40 Vict., 4	1876
(Foreign) ...	...	...	...	...	...	51 Vict., 6	1887
	...	...	...	...	...	53 Vict., 18	1889
ZOOLOGICAL GARDENS	...	...	...	...	...	62 Vict., 32	1898

IMPERIAL ACTS OF PARLIAMENT

ADOPTED AND UNREPEALED.

NOTE.—With the exception of those relating to Usury, all Imperial Statutes of a general nature in force in England on 1st June, 1829 (10 Geo. IV.), prevail here to the extent to which they are applicable.

Since that date many Imperial Statutes have been followed word by word, and enacted by the Colonial Legislature. The subjoined table does not deal with these, but is an attempt to give a complete list of such Imperial Statutes as have been from time to time adopted by mere reference.

The practice and procedure of the Supreme Court are governed by the Rules framed in 1888, and amendments, under the provisions of 24 Vict., No. 15, sec. 31. Where no rule applies, the Imperial practice is followed.

IMPERIAL ACTS.		ADOPTED BY
11 Geo. iv. & 1 W. iv. c. 40.	{ As to undisposed of Residues of Testators' Effects }	{ 6 W. iv., No. 4.
11 Geo. iv. & 1 W. iv. c. 47.	{ For facilitating the payment of Debts out of Real Estate }	{ " }
11 Geo. iv. & 1 W. iv. c. 65.	{ As to Property of Infants, <i>Femes-covert</i> , Idiots, and Lunatics }	{ " }
11 Geo. iv. & 1 W. iv. c. 66.	{ Amending the Law of Forgery. (<i>Repealed</i> , except section 21, by 29 Vict., 5) }	{ " }
1 & 2 W. iv. c. 4 ...	{ Abolishing Oaths and Affirmations in the Customs and Excise, &c., and substituting Declarations in lieu }	{ " }
2 & 3 W. iv. c. 62 ...	{ For abolishing the Punishment of Death in certain cases }	{ " }
2 & 3 W. iv. c. 71 ...	{ For shortening the time of Prescription in certain cases }	{ " }
2 & 3 W. iv. c. 98 ...	{ For regulating the protesting for Non-payment of Bills of Exchange in certain cases }	{ " }
3 & 4 W. iv. c. 27 ...	{ Limitation of Actions and Suits relating to Real Property, &c. (<i>See</i> 42 Vict., No. 6) }	{ " }
3 & 4 W. iv. c. 42 ...	{ For further Amendment of the Law, and the better Advancement of Justice. (Amended by 59 Vict., No. 13) }	{ " }

IMPERIAL ACTS.	ADOPTED BY
3 & 4 W. iv. c. 49 .	Allowing Quakers and Moravians to make Affirmation
3 & 4 W. iv. c. 104	Making Real Estate Assets for the Payment of simple Contract Debts
4 & 5 W. iv. c. 23 ...	Amendment of the Law as to the Escheat and Forfeiture of Property held in Trust
4 & 5 W. iv. c. 26 ...	To abolish the Practice of Hanging in Chains. (Sec. 2 only, repealed by 29 Vict., 5)
5 & 6 W. iv. c. 41 ...	To amend the Law relating to Securities given for Considerations arising out of gaming, usurious, and other illegal Transactions
5 & 6 W. iv. c. 54 ...	To render certain Marriages valid, and to alter the Law as to certain voidable Marriages
5 & 6 W. iv. c. 81 ...	For abolishing Capital Punishment in Cases of Letter stealing and Sacrilege. (<i>Part repealed</i> by 29 Vict., 5)
6 & 7 W. iv. c. 4 ...	To amend the above Act as to Letter stealing, &c. (<i>Part repealed</i> by 29 Vict., 5)
6 & 7 W. iv. c. 30 ...	Respecting Prison Discipline in Cases of Murder ...
6 & 7 W. iv. c. 58 ...	As to Presentment for Payment of dishonoured Bills of Exchange
6 & 7 W. iv. c. 111	To prevent the Fact of a Previous Conviction being given in Evidence to the Jury, except when Evidence to Character is given
6 & 7 W. iv. c. 114	To enable Persons indicted for Felony to make their Defence by Counsel or Attorney
1 V. c. 26 .	Amendment of the Laws with respect to Wills ...
1 V. c. 84 ...	To abolish the Punishment of Death in certain Cases of Forgery. (<i>Parts of</i> ss. 1, 2, & 3 <i>repealed</i> by 29 Vict., 5)
1 V. c. 90 ...	To amend the Laws relative to Offences punishable by Transportation for Life. (<i>Repealed, except s. 5,</i> by 29 Vict., 5)
1 V. c. 91 ...	For abolishing the Punishment of Death in certain Cases
1 & 2 V. c. 74.	To facilitate the Recovery of Possession of Tenements after due Determination of the Tenancy ...
1 & 2 V. c. 77.	For permitting Affirmation to be made instead of an Oath in certain cases
1 & 2 V. c. 105.	To remove Doubts as to Validity of certain Oaths ...
1 & 2 V. c. 110. }	Judgments, Decrees, and Orders
3 & 4 V. c. 82. }	
2 & 3 V. c. 11.	For the better Protection of Purchasers against Judgments, Crown Debts, <i>Lis Pendens</i> and <i>Fiats</i> in Bankruptcy
2 & 3 V. c. 54.	To amend the Law relating to the Custody of Infants...
2 & 3 V. c. 60.	Extending the provision of 1 W. iv., c. 57, for facilitating the Payment of Debts out of Real Estate ...

IMPERIAL ACTS.	ADOPTED BY
5 & 6 V. c. 39.	To amend the Law relating to Advances <i>bonâ fide</i> made to Agents intrusted with goods (s. 6 <i>repealed</i> by 29 Vict., 5, s. 5) } 7 V. 13.
5 & 6 V. c. 69.	For perpetuating Testimony in certain cases }
6 & 7 V. c. 96.	Law of Libel } 10 V. 8.
7 & 8 V. c. 62.	To amend the Law as to Burning Farm Buildings } 12 V. 21.
8 & 9 V. c. 106.	To amend the Law of Real Property }
8 & 9 V. c. 119.	To facilitate the Conveyance of Real Property }
8 & 9 V. c. 124.	As to granting certain Leases }
9 & 10 V. c. 62.	To abolish Deodands }
9 & 10 V. c. 93.	Compensation for Death through Negligence }
10 & 11 V. c. 82.	Juvenile Offenders... .. }
17 & 18 V. c. 113.	Amending Law relating to Administrations (amended by 34 Vict., No. 1) } 31 V. 8.
18 & 19 V. c. 15.	Protection of Purchasers against Judgments, &c. (<i>Repealed in part, see 34 Vict., 21, 1871</i>) } "
18 & 19 V. c. 111.	To amend Laws relating to Bills of Lading } 20 V. 7.
19 & 20 V. c. 97.	An Act to amend the Laws of England and Ireland affecting Trade and Commerce. (Amended by 59 Vict., Nos. 23 and 41) } 31 V. 8.
21 & 22 V. c. 93.	An Act to enable Persons to establish Legitimacy and the Validity of Marriages, and the right to be deemed natural born Subjects... .. }
22 & 23 V. c. 35.	An Act to further amend the Law of Property, and to relieve Trustees }
23 & 24 V. c. 38.	An Act to further amend the Law of Property }
23 & 24 V. c. 145.	An Act to give to Trustees,* Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills }
24 & 25 V. c. 94.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Accessories to, and abettors of, Indictable Offences } 29 V. 5.
24 & 25 V. c. 96.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Larceny and other similar Offences. (Amended by 55 Vict., No. 32) }
24 & 25 V. c. 97.	An Act to consolidate and amend the Statute Law of England and Ireland relating to malicious Injuries to Property }
24 & 25 V. c. 98.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Indictable Offences by Forgery }
24 & 25 V. c. 99.	An Act to consolidate and amend the Statute Law of the United Kingdom against Offences relating to the Coin }
24 & 25 V. c. 100.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Offences against the Person (except ss. 3, 11, 48). (Amended by 55 Vict., No. 24) }

IMPERIAL ACTS.	ADOPTED BY
33 & 34 V. c. 23.	<div> An Act to abolish Forfeitures for Treason and Felony, } and to otherwise amend the Law relating thereto } </div> 37 V. 8.
	<div> Masters and Apprentices—all the Laws in force in } England on 1st January, 1873, relating to ... } </div> 37 V. 12.
48 & 49 V. c. 60.	Federal Council of Australasia 49 V. 24.

APPENDIX.

[63 & 64 VICT.] *Commonwealth of Australia
Constitution Act.*

[CH. 12.]



CHAPTER 12.

AN ACT to constitute the Commonwealth
of Australia.

A.D. 1900.

[9th July, 1900.]

WHEREAS the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established: And whereas it is expedient to provide for the admission into the Commonwealth of other Australasian Colonies and possessions of the Queen: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

I. THIS Act may be cited as the Commonwealth of Australia Constitution Act.

Short title.

II. THE provisions of this Act referring to the Queen shall extend to Her Majesty's Heirs and Successors in the Sovereignty of the United Kingdom.

Act to extend to the
Queen's Successors.

III. IT shall be lawful for the Queen, with the advice of the Privy Council, to declare by Proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, and also, if Her Majesty is satisfied that the

Proclamation of
Commonwealth.

A.D. 1900.
—

the people of Western Australia have agreed thereto, of Western Australia, shall be united in a Federal Commonwealth under the name of the Commonwealth of Australia. But the Queen may, at any time after the Proclamation, appoint a Governor General for the Commonwealth.

Commencement
of Act.

IV. THE Commonwealth shall be established, and the Constitution of the Commonwealth shall take effect on and after the day so appointed. But the Parliaments of the several Colonies may at any time after the passing of this Act make any such laws, to come into operation on the day so appointed, as they might have made if the Constitution had taken effect at the passing of this Act.

Operation of the
Constitution
and laws.

V. THIS Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the Courts, Judges, and people, of every State, and of every part of the Commonwealth, notwithstanding anything in the laws of any State; and the laws of the Commonwealth shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth.

Definitions.

VI. "THE Commonwealth" shall mean the Commonwealth of Australia as established under this Act.

"The States" shall mean such of the Colonies of New South Wales, New Zealand, Queensland, Tasmania, Victoria, Western Australia, and South Australia, including the Northern Territory of South Australia, as for the time being are parts of the Commonwealth, and such Colonies or Territories as may be admitted into or established by the Commonwealth as States; and each of such parts of the Commonwealth shall be called a "State."

"Original States" shall mean such States as are parts of the Commonwealth at its establishment.

Repeal of Federal
Council Act.

48 & 49 Vict., c. 60.

VII. THE Federal Council of Australasia Act, 1885, is hereby repealed, but so as not to affect any laws passed by the Federal Council of Australasia and in force at the establishment of the Commonwealth.

Any such law may be repealed as to any State by the Parliament of the Commonwealth, or as to any Colony not being a State by the Parliament thereof.

Application of
Colonial Boundaries
Act.

58 & 59 Vict., c. 34.

VIII. AFTER the passing of this Act, the Colonial Boundaries Act, 1895, shall not apply to any Colony which becomes a State of the Commonwealth; but the Commonwealth shall be taken to be a self-governing Colony for the purposes of that Act.

IX.

IX. THE Constitution of the Commonwealth shall be as follows :—

A.D. 1900.
Constitution.

THE CONSTITUTION.

This Constitution is divided as follows :—

CHAPTER I.—THE PARLIAMENT:

PART I.—GENERAL:

PART II.—THE SENATE:

PART III.—THE HOUSE OF REPRESENTATIVES:

PART IV.—BOTH HOUSES OF THE PARLIAMENT:

PART V.—POWERS OF THE PARLIAMENT:

CHAPTER II.—THE EXECUTIVE GOVERNMENT:

CHAPTER III.—THE JUDICATURE:

CHAPTER IV.—FINANCE AND TRADE:

CHAPTER V.—THE STATES:

CHAPTER VI.—NEW STATES:

CHAPTER VII.—MISCELLANEOUS:

CHAPTER VIII.—ALTERATION OF THE CONSTITUTION.

THE SCHEDULE.

CHAPTER I.

THE PARLIAMENT.

PART I.—GENERAL.

1. THE legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives, and which is hereinafter called "The Parliament," or "The Parliament of the Commonwealth."

Legislative power.

2. A GOVERNOR General appointed by the Queen shall be Her Majesty's representative in the Commonwealth, and shall have and may exercise in the Commonwealth during the Queen's pleasure, but subject to this Constitution, such powers and functions of the Queen as Her Majesty may be pleased to assign to him.

Governor General.

3. THERE shall be payable to the Queen out of the Consolidated Revenue Fund of the Commonwealth, for the salary of the Governor General, an annual sum which, until the Parliament otherwise provides, shall be Ten thousand pounds.

Salary of Governor General.

The

A.D. 1900.

The salary of a Governor General shall not be altered during his continuance in office.

Provisions relating to Governor General.

4. THE provisions of this Constitution relating to the Governor General extend and apply to the Governor General for the time being, or such person as the Queen may appoint to administer the Government of the Commonwealth; but no such person shall be entitled to receive any salary from the Commonwealth in respect of any other office during his administration of the Government of the Commonwealth.

Sessions of Parliament.

Prorogation and dissolution.

5. THE Governor General may appoint such times for holding the sessions of the Parliament as he thinks fit, and may also from time to time, by proclamation or otherwise, prorogue the Parliament, and may in like manner dissolve the House of Representatives.

Summoning Parliament.

After any general election the Parliament shall be summoned to meet not later than thirty days after the day appointed for the return of the writs.

First Session.

The Parliament shall be summoned to meet not later than six months after the establishment of the Commonwealth.

Yearly session of Parliament.

6. THERE shall be a session of the Parliament once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one session and its first sitting in the next session.

PART II.—THE SENATE.

The Senate.

7. THE Senate shall be composed of senators for each State, directly chosen by the people of the State, voting, until the Parliament otherwise provides, as one electorate.

But until the Parliament of the Commonwealth otherwise provides, the Parliament of the State of Queensland, if that State be an Original State, may make laws dividing the State into divisions and determining the number of senators to be chosen for each division, and in the absence of such provision the State shall be one electorate.

Until the Parliament otherwise provides, there shall be six senators for each Original State. The Parliament may make laws increasing or diminishing the number of senators for each State, but so that equal representation of the several Original States shall be maintained and that no Original State shall have less than six senators.

The senators shall be chosen for a term of six years, and the names of the Senators chosen for each State shall be certified by the Governor to the Governor General.

8. THE qualification of electors of senators shall be in each State that which is prescribed by this Constitution, or by the Parliament, as the qualification for electors of members of the House of Representatives, but in the choosing of senators each elector shall vote only once.

A.D. 1900.

Qualification of electors.

9. THE Parliament of the Commonwealth may make laws prescribing the method of choosing senators, but so that the method shall be uniform for all the States. Subject to any such law, the Parliament of each State may make laws prescribing the method of choosing the senators for that State.

Method of election of senators.

The Parliament of a State may make laws for determining the times and places of elections of senators for the State.

Times and places.

10. UNTIL the Parliament otherwise provides, but subject to this Constitution, the laws in force in each State, for the time being, relating to elections for the more numerous House of the Parliament of the State shall, as nearly as practicable, apply to elections of senators for the State.

Application of State laws.

11. THE Senate may proceed to the despatch of business, notwithstanding the failure of any State to provide for its representation in the Senate.

Failure to choose senators.

12. THE Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate, the writs shall be issued within ten days from the proclamation of such dissolution.

Issue of writs.

13. AS soon as may be after the Senate first meets, and after each first meeting of the Senate following a dissolution thereof, the Senate shall divide the senators chosen for each State into two classes, as nearly equal in number as practicable; and the places of the senators of the first class shall become vacant at the expiration of the third year, and the places of those of the second class at the expiration of the sixth year, from the beginning of their term of service; and afterwards the places of senators shall become vacant at the expiration of six years from the beginning of their term of service.

Rotation of senators.

The election to fill vacant places shall be made in the year at the expiration of which the places are to become vacant.

For the purposes of this section, the term of service of a senator shall be taken to begin on the first day of January following the day of his election, except in the cases of the first election and of the election next after any dissolution of the Senate, when it shall be taken to begin on the first day of January preceding the day of his election.

A.D. 1900.

Further provision
for rotation.

14. WHENEVER the number of senators for a State is increased or diminished, the Parliament of the Commonwealth may make such provision for the vacating of the places of senators for the State as it deems necessary to maintain regularity in the rotation.

Casual vacancies.

15. IF the place of a senator becomes vacant before the expiration of his term of service the Houses of Parliament of the State for which he was chosen shall, sitting and voting together, choose a person to hold the place until the expiration of the term, or until the election of a successor as hereinafter provided, whichever first happens. But if the Houses of Parliament of the State are not in session at the time when the vacancy is notified, the Governor of the State, with the advice of the Executive Council thereof, may appoint a person to hold the place until the expiration of fourteen days after the beginning of the next session of the Parliament of the State, or until the election of a successor, whichever first happens.

At the next general election of members of the House of Representatives, or at the next election of senators for the State, whichever first happens, a successor shall, if the term has not then expired, be chosen to hold the place from the date of his election until the expiration of the term.

The name of any senator so chosen or appointed shall be certified by the Governor of the State to the Governor General.

Qualifications of
senator.

16. THE qualifications of a senator shall be the same as those of a member of the House of Representatives.

Election of President.

17. THE Senate shall, before proceeding to the despatch of any other business, choose a senator to be the President of the Senate; and as often as the office of President becomes vacant the Senate shall again choose a senator to be the President.

The President shall cease to hold his office if he ceases to be a senator. He may be removed from office by a vote of the Senate, or he may resign his office or his seat by writing addressed to the Governor General.

Absence of President.

18. BEFORE or during any absence of the President, the Senate may choose a senator to perform his duties in his absence.

Resignation of
senator.

19. A SENATOR may, by writing, addressed to the President, or to the Governor General if there is no President or if the President is absent from the Commonwealth, resign his place, which thereupon shall become vacant.

20. THE place of a senator shall become vacant if for two consecutive months of any session of the Parliament he, without the permission of the Senate, fails to attend the Senate.

A.D. 1900.
Vacancy by absence.

21. WHENEVER a vacancy happens in the Senate, the President, or if there is no President, or if the President is absent from the Commonwealth, the Governor General shall notify the same to the Governor of the State in the representation of which the vacancy has happened.

Vacancy to be notified.

22. UNTIL the Parliament otherwise provides, the presence of at least one-third of the whole number of the senators shall be necessary to constitute a meeting of the Senate for the exercise of its powers.

Quorum.

23. QUESTIONS arising in the Senate shall be determined by a majority of votes, and each senator shall have one vote. The President shall in all cases be entitled to a vote; and when the votes are equal the question shall pass in the negative.

Voting in Senate.

PART III.—THE HOUSE OF REPRESENTATIVES.

24. THE House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of the senators.

Constitution of House of Representatives.

The number of members chosen in the several States shall be in proportion to the respective numbers of their people, and shall, until the Parliament otherwise provides, be determined, whenever necessary, in the following manner:—

- I. A quota shall be ascertained by dividing the number of the people of the Commonwealth, as shown by the latest statistics of the Commonwealth, by twice the number of the senators.
- II. The number of members to be chosen in each State shall be determined by dividing the number of the people of the State, as shown by the latest statistics of the Commonwealth, by the quota; and if on such division there is a remainder greater than one-half of the quota, one more member shall be chosen in the State.

But notwithstanding anything in this section, five members, at least, shall be chosen in each Original State.

25. FOR the purposes of the last section, if by the law of any State all persons of any race are disqualified from voting at elections

Provision as to races disqualified from voting.

A.D. 1900.

for the more numerous House of the Parliament of the State, then, in reckoning the number of the people of the State or of the Commonwealth, persons of that race resident in that State shall not be counted.

Representatives in
first Parliament.

26. NOTWITHSTANDING anything in Section Twenty-four, the number of members to be chosen in each State at the first election shall be as follows:—

New South Wales	...	...	Twenty-three.
Victoria	...	...	Twenty.
Queensland	...	...	Eight.
South Australia	...	...	Six.
Tasmania	...	...	Five.

Provided that if Western Australia is an Original State the numbers shall be as follows:—

New South Wales	...	...	Twenty-six.
Victoria	...	...	Twenty-three.
Queensland	...	...	Nine.
South Australia	...	...	Seven.
Western Australia	...	...	Five.
Tasmania	...	...	Five.

Alteration of number
of members.

27. SUBJECT to this Constitution, the Parliament may make laws for increasing or diminishing the number of the members of the House of Representatives.

Duration of House of
Representatives.

28. EVERY House of Representatives shall continue for three years from the first meeting of the House, and no longer, but may be sooner dissolved by the Governor General.

Electoral divisions.

29. UNTIL the Parliament of the Commonwealth otherwise provides, the Parliament of any State may make laws for determining the divisions in each State for which members of the House of Representatives may be chosen, and the number of members to be chosen for each division. A division shall not be formed out of parts of different States.

In the absence of other provision, each State shall be one electorate.

Qualification of
electors.

30. UNTIL the Parliament otherwise provides, the qualification of electors of members of the House of Representatives shall be in each State that which is prescribed by the law of the State as the qualification of electors of the more numerous House of Parliament of the State; but in the choosing of members each elector shall vote only once.

31. UNTIL the Parliament otherwise provides, but subject to this Constitution, the laws in force in each State for the time being relating to elections for the more numerous House of the Parliament of the State shall, as nearly as practicable, apply to elections in the State of members of the House of Representatives.

A.D. 1900.

Application of State laws.

32. THE Governor General in Council may cause writs to be issued for general elections of members of the House of Representatives.

Writs for general election.

After the first general election, the writs shall be issued within ten days from the expiry of a House of Representatives, or from the proclamation of a dissolution thereof.

33. WHENEVER a vacancy happens in the House of Representatives, the Speaker shall issue his writ for the election of a new member, or if there is no Speaker, or if he is absent from the Commonwealth, the Governor General in Council may issue the writ.

Writs for vacancies.

34. UNTIL the Parliament otherwise provides, the qualifications of a member of the House of Representatives shall be as follows:—

Qualifications of members.

- I. He must be of the full age of twenty-one years, and must be an elector entitled to vote at the election of members of the House of Representatives, or a person qualified to become such elector, and must have been for three years at the least a resident within the limits of the Commonwealth as existing at the time when he is chosen :
- II. He must be a subject of the Queen, either natural-born or for at least five years naturalised under a law of the United Kingdom, or of a Colony which has become or becomes a State, or of the Commonwealth, or of a State.

35. THE House of Representatives shall, before proceeding to the despatch of any other business, choose a member to be the Speaker of the House, and as often as the office of Speaker becomes vacant the House shall again choose a member to be the Speaker.

Election of Speaker.

The Speaker shall cease to hold his office if he ceases to be a member. He may be removed from office by a vote of the House, or he may resign his office or his seat by writing addressed to the Governor General.

36. BEFORE or during any absence of the Speaker, the House of Representatives may choose a member to perform his duties in his absence.

Absence of Speaker.

A.D. 1900.

Resignation of
member.

37. A MEMBER may by writing addressed to the Speaker, or to the Governor General if there is no Speaker or if the Speaker is absent from the Commonwealth, resign his place, which thereupon shall become vacant.

Vacancy by absence.

38. THE place of a member shall become vacant if for two consecutive months of any session of the Parliament he, without the permission of the House, fails to attend the House.

Quorum.

39. UNTIL the Parliament otherwise provides, the presence of at least one-third of the whole number of the members of the House of Representatives shall be necessary to constitute a meeting of the House for the exercise of its powers.

Voting in House of
Representatives.

40. QUESTIONS arising in the House of Representatives shall be determined by a majority of votes other than that of the Speaker. The Speaker shall not vote unless the numbers are equal, and then he shall have a casting-vote.

PART IV.—BOTH HOUSES OF THE PARLIAMENT.

Right of Electors of
States.

41. NO adult person who has or acquires a right to vote at elections for the more numerous House of the Parliament of a State, shall, while the right continues, be prevented by any law of the Commonwealth from voting at elections for either House of the Parliament of the Commonwealth.

Oath or affirmation
of allegiance.

42. EVERY senator and every member of the House of Representatives shall, before taking his seat, make and subscribe before the Governor General, or some person authorised by him, an oath or affirmation of allegiance in the form set forth in the Schedule to this Constitution.

Member of one
House ineligible for
other.

43. A MEMBER of either House of the Parliament shall be incapable of being chosen or of sitting as a member of the other House.

44. ANY person who—

Disqualification.

- i. Is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen, or entitled to the rights or privileges of a subject or a citizen of a foreign power: or
- ii. Is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer: or

III. Is an undischarged bankrupt or insolvent: or

A.D. 1900.

IV. Holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth: or

V. Has any direct or indirect pecuniary interest in any agreement with the public service of the Commonwealth, otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons:

shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.

But sub-section IV. does not apply to the office of any of the Queen's Ministers of State for the Commonwealth, or of any of the Queen's Ministers for a State, or to the receipt of pay, half-pay, or a pension by any person as an officer or member of the Queen's navy or army, or to the receipt of pay as an officer or member of the naval or military forces of the Commonwealth by any person whose services are not wholly employed by the Commonwealth.

45. IF a senator or member of the House of Representatives—

I. Becomes subject to any of the disabilities mentioned in the last preceding section: or

Vacancy on happening of disqualification.

II. Takes the benefit, whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors: or

III. Directly or indirectly takes or agrees to take any fee or honorarium for services rendered to the Commonwealth, or for services rendered in the Parliament to any person or State:

his place shall thereupon become vacant.

46. UNTIL the Parliament otherwise provides, any person declared by this Constitution to be incapable of sitting as a senator or as a member of the House of Representatives shall, for every day on which he so sits, be liable to pay the sum of One hundred pounds to any person who sues for it in any Court of competent jurisdiction.

Penalty for sitting when disqualified.

47. UNTIL the Parliament otherwise provides, any question respecting the qualification of a senator or of a member of the House of Representatives, or respecting a vacancy in either House of the Parliament, and any question of a disputed election to either House, shall be determined by the House in which the question arises.

Disputed elections.

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Allowance to
members.

48. UNTIL the Parliament otherwise provides, each senator and each member of the House of Representatives shall receive an allowance of Four hundred pounds a year, to be reckoned from the day on which he takes his seat.

Privileges, etc., of
Houses.

49. THE powers, privileges, and immunities of the Senate and of the House of Representatives, and of the members and the committees of each House, shall be such as are declared by the Parliament, and until declared shall be those of the Commons House of Parliament of the United Kingdom, and of its members and committees, at the establishment of the Commonwealth.

Rules and orders.

50. EACH House of the Parliament may make rules and orders with respect to—

- i. The mode in which its powers, privileges, and immunities may be exercised and upheld :
- ii. The order and conduct of its business and proceedings either separately or jointly with the other House.

PART V.—POWERS OF THE PARLIAMENT.

Legislative powers
of the Parliament.

51. THE Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth, with respect to—

- i. Trade and commerce with other countries and among the States :
- ii. Taxation ; but so as not to discriminate between States or parts of States :
- iii. Bounties on the production or export of goods, but so that such bounties shall be uniform throughout the Commonwealth :
- iv. Borrowing money on the public credit of the Commonwealth :
- v. Postal, telegraphic, telephonic, and other like services :
- vi. The naval and military defence of the Commonwealth and of the several States and the control of the forces to execute and maintain the laws of the Commonwealth :
- vii. Lighthouses, light-ships, beacons, and buoys :
- viii. Astronomical and meteorological observations :
- ix. Quarantine :
- x. Fisheries in Australian waters beyond territorial limits :
- xi. Census and statistics :
- xii. Currency, coinage, and legal tender :

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- xiii. Banking, other than State banking; also State banking extending beyond the limits of the State concerned, the incorporation of banks, and the issue of paper money:
- xiv. Insurance, other than State Insurance; also State Insurance extending beyond the limits of the State concerned:
- xv. Weights and measures:
- xvi. Bills of exchange and promissory notes:
- xvii. Bankruptcy and insolvency:
- xviii. Copyrights, patents of inventions and designs, and trademarks:
- xix. Naturalisation and aliens:
- xx. Foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth:
- xxi. Marriage:
- xxii. Divorce and matrimonial causes; and in relation thereto, parental rights, and the custody and guardianship of infants:
- xxiii. Invalid and old-age pensions:
- xxiv. The service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the Courts of the States:
- xxv. The recognition throughout the Commonwealth of the laws, the public acts and records, and the judicial proceedings of the States:
- xxvi. The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws:
- xxvii. Immigration and emigration:
- xxviii. The influx of criminals:
- xxix. External affairs:
- xxx. The relations of the Commonwealth with the islands of the Pacific:
- xxxi. The acquisition of property on just terms from any State or person for any purpose in respect of which the Parliament has power to make laws:
- xxxii. The control of railways with respect to transport for the naval and military purposes of the Commonwealth:
- xxxiii. The acquisition, with the consent of a State, of any railways of the State on terms arranged between the Commonwealth and the State:
- xxxiv. Railway construction and extension in any State with the consent of that State:

xxxv.

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- xxxv. Conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State:
- xxxvi. Matters in respect of which this Constitution makes provision until the Parliament otherwise provides:
- xxxvii. Matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law:
- xxxviii. The exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia:
- xxxix. Matters incidental to the execution of any power vested by this Constitution in the Parliament or in either House thereof, or in the Government of the Commonwealth, or in the Federal Judicature, or in any department or officer of the Commonwealth.

Exclusive powers of
the Parliament.

52. THE Parliament shall, subject to this Constitution, have exclusive power to make laws for the peace, order, and good government of the Commonwealth with respect to—

- I. The seat of Government of the Commonwealth, and all places acquired by the Commonwealth for public purposes:
- II. Matters relating to any department of the public service the control of which is by this Constitution transferred to the Executive Government of the Commonwealth:
- III. Other matters declared by this Constitution to be within the exclusive power of the Parliament.

Powers of the
Houses in respect
of legislation.

53. PROPOSED laws appropriating revenue or moneys, or imposing taxation, shall not originate in the Senate. But a proposed law shall not be taken to appropriate revenue or moneys, or to impose taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand or payment or appropriation of fees for licenses, or fees for services under the proposed law.

The Senate may not amend proposed laws imposing taxation, or proposed laws appropriating revenue or moneys for the ordinary annual services of the Government.

The

The Senate may not amend any proposed law so as to increase any proposed charge or burden on the people.

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The Senate may at any stage return to the House of Representatives any proposed law which the Senate may not amend, requesting, by message, the omission or amendment of any items or provisions therein. And the House of Representatives may, if it thinks fit, make any of such omissions or amendments, with or without modifications.

Except as provided in this section, the Senate shall have equal power with the House of Representatives in respect of all proposed laws.

54. THE proposed law which appropriates revenue or moneys for the ordinary annual services of the Government shall deal only with such appropriation.

Appropriation Bills.

55. LAWS imposing taxation shall deal only with the imposition of taxation, and any provision therein dealing with any other matter shall be of no effect.

Tax Bill.

Laws imposing taxation, except laws imposing duties of customs or of excise, shall deal with one subject of taxation only; but laws imposing duties of customs shall deal with duties of customs only, and laws imposing duties of excise shall deal with duties of excise only.

56. A VOTE, resolution, or proposed law for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended by message of the Governor General to the House in which the proposal originated.

Recommendation of money votes.

57. IF the House of Representatives passes any proposed law and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, and if after an interval of three months the House of Representatives, in the same or the next session, again passes the proposed law with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor General may dissolve the Senate and the House of Representatives simultaneously. But such dissolution shall not take place within six months before the date of the expiry of the House of Representatives by effluxion of time.

Disagreement between the Houses.

If after such dissolution the House of Representatives again passes the proposed law with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate

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Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor General may convene a joint sitting of the members of the Senate and of the House of Representatives.

The members present at the joint sitting may deliberate and shall vote together upon the proposed law as last proposed by the House of Representatives, and upon amendments, if any, which have been made therein by one House and not agreed to by the other, and any such amendments which are affirmed by an absolute majority of the total number of the members of the Senate and House of Representatives shall be taken to have been carried, and if the proposed law, with the amendments, if any, so carried is affirmed by an absolute majority of the total number of the members of the Senate and House of Representatives it shall be taken to have been duly passed by both Houses of the Parliament, and shall be presented to the Governor General for the Queen's assent.

Royal assent to
Bills.

58. WHEN a proposed law passed by both Houses of the Parliament is presented to the Governor General for the Queen's assent, he shall declare, according to his discretion, but subject to this Constitution, that he assents in the Queen's name, or that he withholds assent, or that he reserves the law for the Queen's pleasure.

Recommendations by
Governor General.

The Governor General may return to the House in which it originated any proposed law so presented to him, and may transmit therewith any amendments which he may recommend, and the Houses may deal with the recommendation.

Disallowance by the
Queen.

59. THE Queen may disallow any law within one year from the Governor General's assent, and such disallowance on being made known by the Governor General, by speech or message to each of the Houses of the Parliament, or by proclamation, shall annul the law from the day when the disallowance is so made known.

Signification of
Queen's pleasure on
Bills reserved.

60. A PROPOSED law reserved for the Queen's pleasure shall not have any force unless and until within two years from the day on which it was presented to the Governor General for the Queen's assent the Governor General makes known, by speech or message to each of the Houses of the Parliament, or by proclamation, that it has received the Queen's assent.

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CHAPTER II.

THE EXECUTIVE GOVERNMENT.

61. THE executive power of the Commonwealth is vested in the Queen, and is exercisable by the Governor General as the Queen's representative, and extends to the execution and maintenance of this Constitution, and of the laws of the Commonwealth.

Executive power.

62. THERE shall be a Federal Executive Council to advise the Governor General in the government of the Commonwealth, and the members of the Council shall be chosen and summoned by the Governor General and sworn as Executive Councillors, and shall hold office during his pleasure.

Federal Executive Council.

63. THE provisions of this Constitution referring to the Governor General in Council shall be construed as referring to the Governor General acting with the advice of the Federal Executive Council.

Provisions referring to Governor General.

64. THE Governor General may appoint officers to administer such Departments of State of the Commonwealth as the Governor General in Council may establish.

Ministers of State.

Such officers shall hold office during the pleasure of the Governor General. They shall be members of the Federal Executive Council, and shall be the Queen's Ministers of State for the Commonwealth.

After the first general election no Minister of State shall hold office for a longer period than three months unless he is or becomes a senator or a member of the House of Representatives.

Ministers to sit in Parliament.

65. UNTIL the Parliament otherwise provides, the Ministers of State shall not exceed seven in number, and shall hold such offices as the Parliament prescribes, or, in the absence of provision, as the Governor General directs.

Number of Ministers.

66. THERE shall be payable to the Queen, out of the Consolidated Revenue Fund of the Commonwealth, for the salaries of the Ministers of State, an annual sum which, until the Parliament otherwise provides, shall not exceed Twelve thousand pounds a year.

Salaries of Ministers.

67. UNTIL the Parliament otherwise provides, the appointment and removal of all other officers of the Executive Government of the Commonwealth shall be vested in the Governor General in Council, unless the appointment is delegated by the Governor General in Council or by a law of the Commonwealth to some other authority.

Appointment of civil servants.

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Command of naval
and military forces.

68. THE command in chief of the naval and military forces of the Commonwealth is vested in the Governor General as the Queen's representative.

Transfer of certain
departments.

69. ON a date or dates to be proclaimed by the Governor General after the establishment of the Commonwealth, the following departments of the public service in each State shall become transferred to the Commonwealth:—

Posts, telegraphs, and telephones ;

Naval and military defence ;

Light-houses, light-ships, beacons, and buoys ;

Quarantine:

But the departments of customs and of excise in each State shall become transferred to the Commonwealth on its establishment.

Certain powers of
Governors to vest in
Governor General.

70. IN respect of matters which, under this Constitution, pass to the Executive Government of the Commonwealth, all powers and functions which at the establishment of the Commonwealth are vested in the Governor of a Colony, or in the Governor of a Colony with the advice of his Executive Council, or in any authority of a Colony, shall vest in the Governor General or in the Governor General in Council, or in the authority exercising similar powers under the Commonwealth, as the case requires.

CHAPTER III.

THE JUDICATURE.

Judicial power and
Courts.

71. THE judicial power of the Commonwealth shall be vested in a Federal Supreme Court, to be called the High Court of Australia, and in such other federal courts as the Parliament creates, and in such other courts as it invests with federal jurisdiction. The High Court shall consist of a Chief Justice, and so many other Justices, not less than two, as the Parliament prescribes.

Judges' appoint-
ment, tenure, and
remuneration.

72. THE Justices of the High Court and of the other courts created by the Parliament—

- I. Shall be appointed by the Governor General in Council ;
- II. Shall not be removed except by the Governor General in Council, on an Address from both Houses of the Parliament in the same session praying for such removal on the ground of proved misbehaviour or incapacity ;

III.

- III. Shall receive such remuneration as the Parliament may fix ; but the remuneration shall not be diminished during their continuance in office.

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73. THE High Court shall have jurisdiction, with such exceptions and subject to such regulations as the Parliament prescribes, to hear and determine appeals from all judgments, decrees, orders, and sentences—

Appellate jurisdiction of High Court.

- I. Of any Justice or Justices exercising the original jurisdiction of the High Court:
- II. Of any other federal court, or court exercising federal jurisdiction ; or of the Supreme Court of any State, or of any other court of any State from which at the establishment of the Commonwealth an appeal lies to the Queen in Council:
- III. Of the Inter-State Commission, but as to questions of law only ; and the judgment of the High Court in all such cases shall be final and conclusive:

But no exception or regulation prescribed by the Parliament shall prevent the High Court from hearing and determining any appeal from the Supreme Court of a State in any matter in which at the establishment of the Commonwealth an appeal lies from such Supreme Court to the Queen in Council.

Until the Parliament otherwise provides, the conditions of and restrictions on appeals to the Queen in Council from the Supreme Courts of the several States shall be applicable to appeals from them to the High Court.

74. NO appeal shall be permitted to the Queen in Council from a decision of the High Court upon any question howsoever arising as to the limits *inter se* of the Constitutional powers of the Commonwealth and those of any State or States or as to the limits *inter se* of the Constitutional powers of any two or more States, unless the High Court shall certify that the question is one which ought to be determined by Her Majesty in Council.

Appeal to Queen in Council.

The High Court may so certify if satisfied that for any special reason the certificate should be granted, and thereupon an appeal shall lie to Her Majesty in Council on the question without further leave.

Except as provided in this section, this Constitution shall not impair any right which the Queen may be pleased to exercise, by virtue of Her Royal Prerogative, to grant special leave of appeal from the High Court to Her Majesty in Council. The Parliament may make laws limiting the matters in which such leave may be asked, but proposed laws containing any such limitation shall be reserved by the Governor General for Her Majesty's pleasure.

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Original jurisdiction
of High Court.**75. IN all matters—**

- I. Arising under any treaty :
- II. Affecting consuls, or other representatives of other countries :
- III. In which the Commonwealth, or a person suing or being sued on behalf of the Commonwealth, is a party :
- IV. Between States, or between residents of different States, or between a State and a resident of another State :
- V. In which a writ of *mandamus* or prohibition or an injunction is sought against an officer of the Commonwealth :

the High Court shall have original jurisdiction.

Additional original
jurisdiction.**76. THE Parliament may make laws conferring original jurisdiction on the High Court in any matter—**

- I. Arising under this Constitution, or involving its interpretation ;
- II. Arising under any laws made by the Parliament :
- III. Of admiralty and maritime jurisdiction :
- IV. Relating to the same subject-matter claimed under the laws of different States.

Power to define
jurisdiction.**77. WITH respect to any of the matters mentioned in the last two sections, the Parliament may make laws—**

- I. Defining the jurisdiction of any federal court other than the High Court :
- II. Defining the extent to which the jurisdiction of any federal court shall be exclusive of that which belongs to or is invested in the courts of the States :
- III. Investing any court of a State with federal jurisdiction.

Proceedings against
Commonwealth or
State.**78. THE Parliament may make laws conferring rights to proceed against the Commonwealth or a State in respect of matters within the limits of the judicial power.**

Number of judges.

79. THE federal jurisdiction of any court may be exercised by such number of judges as the Parliament prescribes.

Trial by jury.

80. THE trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes.

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CHAPTER IV.

FINANCE AND TRADE.

81. ALL revenues or moneys raised or received by the Executive Government of the Commonwealth shall form one Consolidated Revenue Fund, to be appropriated for the purposes of the Commonwealth in the manner and subject to the charges and liabilities imposed by this Constitution.

Consolidated revenue fund.

82. THE costs, charges, and expenses incident to the collection, management, and receipt of the Consolidated Revenue Fund shall form the first charge thereon; and the revenue of the Commonwealth shall in the first instance be applied to the payment of the expenditure of the Commonwealth.

Expenditure charged thereon.

83. NO money shall be drawn from the Treasury of the Commonwealth except under appropriation made by law.

Money to be appropriated by law.

But until the expiration of one month after the first meeting of the Parliament the Governor General in Council may draw from the Treasury and expend such moneys as may be necessary for the maintenance of any department transferred to the Commonwealth and for the holding of the first elections for the Parliament.

84. WHEN any department of the public service of a State becomes transferred to the Commonwealth, all officers of the department shall become subject to the control of the Executive Government of the Commonwealth.

Transfer of officers.

Any such officer who is not retained in the service of the Commonwealth shall, unless he is appointed to some other office of equal emolument in the public service of the State, be entitled to receive from the State any pension, gratuity, or other compensation payable under the law of the State on the abolition of his office.

Any such officer who is retained in the service of the Commonwealth shall preserve all his existing and accruing rights, and shall be entitled to retire from office at the time, and on the pension or retiring allowance, which would be permitted by the law of the State if his service with the Commonwealth were a continuation of his service with the State. Such pension or retiring allowance shall be paid to him by the Commonwealth; but the State shall pay to the Commonwealth a part thereof, to be calculated on the proportion which his term of service with the State bears to his whole term of service, and for the purpose of the calculation his salary shall be taken to be that paid to him by the State at the time of the transfer.

Any

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Any officer who is, at the establishment of the Commonwealth, in the public service of a State, and who is, by consent of the Governor of the State with the advice of the Executive Council thereof, transferred to the public service of the Commonwealth, shall have the same rights as if he had been an officer of a department transferred to the Commonwealth and were retained in the service of the Commonwealth.

Transfer of property
of State.

85. WHEN any department of the public service of a State is transferred to the Commonwealth—

- i. All property of the State, of any kind, used exclusively in connection with the department, shall become vested in the Commonwealth; but, in the case of the departments controlling customs and excise and bounties, for such time only as the Governor General in Council may declare to be necessary.
- ii. The Commonwealth may acquire any property of the State, of any kind, used, but not exclusively used, in connection with the department; the value thereof shall, if no agreement can be made, be ascertained in, as nearly as may be, the manner in which the value of land, or of an interest in land, taken by the State for public purposes is ascertained under the law of the State in force at the establishment of the Commonwealth.
- iii. The Commonwealth shall compensate the State for the value of any property passing to the Commonwealth under this section; if no agreement can be made as to the mode of compensation, it shall be determined under laws to be made by the Parliament.
- iv. The Commonwealth shall, at the date of the transfer, assume the current obligations of the State in respect of the department transferred.

86. ON the establishment of the Commonwealth, the collection and control of duties of customs and of excise, and the control of the payment of bounties, shall pass to the Executive Government of the Commonwealth.

87. DURING a period of ten years after the establishment of the Commonwealth, and thereafter until the Parliament otherwise provides, of the net revenue of the Commonwealth from duties of customs and of excise, not more than one-fourth shall be applied annually by the Commonwealth towards its expenditure.

The balance shall, in accordance with this Constitution, be paid to the several States, or applied towards the payment of interest on debts of the several States taken over by the Commonwealth.

88. UNIFORM duties of customs shall be imposed within two years after the establishment of the Commonwealth.

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Uniform duties of customs.

89. UNTIL the imposition of uniform duties of customs:—

Payment to States before uniform duties.

i. The Commonwealth shall credit to each State the revenues collected therein by the Commonwealth ;

ii. The Commonwealth shall debit to each State—

(a.) The expenditure therein of the Commonwealth incurred solely for the maintenance or continuance, as at the time of transfer, of any department transferred from the State to the Commonwealth.

(b.) The proportion of the State, according to the number of its people, in the other expenditure of the Commonwealth.

iii. The Commonwealth shall pay to each State month by month the balance (if any) in favour of the State.

90. ON the imposition of uniform duties of customs the power of the Parliament to impose duties of customs and of excise, and to grant bounties on the production or export of goods, shall become exclusive.

Exclusive power over customs, excise, and bounties.

On the imposition of uniform duties of customs all laws of the several States imposing duties of customs or of excise, or offering bounties on the production or export of goods, shall cease to have effect; but any grant of or agreement for any such bounty lawfully made by or under the authority of the Government of any State shall be taken to be good if made before the thirtieth day of June, One thousand eight hundred and ninety-eight, and not otherwise.

91. NOTHING in this Constitution prohibits a State from granting any aid to or bounty on mining for gold, silver, or other metals, nor from granting, with the consent of both Houses of the Parliament of the Commonwealth expressed by resolution, any aid to or bounty on the production or export of goods.

Exceptions as to bounties.

92. ON the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

Trade within the Commonwealth to be free.

But notwithstanding anything in this Constitution, goods imported before the imposition of uniform duties of customs into any State, or into any Colony which, whilst the goods remain therein, becomes a State, shall, on thence passing into another State within two years after the imposition of such duties, be liable to any duty chargeable on the importation of such goods into the Commonwealth, less any duty paid in respect of the goods on their importation.

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Payment to States
for five years after
uniform Tariffs.

93. DURING the first five years after the imposition of uniform duties of customs, and thereafter until the Parliament otherwise provides:—

1. The duties of customs chargeable on goods imported into a State and afterwards passing into another State for consumption, and the duties of excise paid on goods produced or manufactured in a State and afterwards passing into another State for consumption, shall be taken to have been collected not in the former but in the latter State ;
11. Subject to the last subsection, the Commonwealth shall credit revenue, debit expenditure, and pay balances to the several States as prescribed for the period preceding the imposition of uniform duties of customs.

Distribution of
surplus.

94. AFTER five years from the imposition of uniform duties of customs, the Parliament may provide, on such basis as it deems fair, for the monthly payment to the several States of all surplus revenue of the Commonwealth.

Customs duties of
Western Australia.

95. NOTWITHSTANDING anything in this Constitution, the Parliament of the State of Western Australia, if that State be an Original State, may, during the first five years after the imposition of uniform duties of customs, impose duties of customs on goods passing into that State and not originally imported from beyond the limits of the Commonwealth; and such duties shall be collected by the Commonwealth.

But any duty so imposed on any goods shall not exceed, during the first of such years, the duty chargeable on the goods under the law of Western Australia in force at the imposition of uniform duties, and shall not exceed during the second, third, fourth, and fifth of such years respectively, four-fifths, three-fifths, two-fifths, and one-fifth of such latter duty ; and all duties imposed under this section shall cease at the expiration of the fifth year after the imposition of uniform duties.

If at any time during the five years the duty on any goods under this section is higher than the duty imposed by the Commonwealth on the importation of the like goods, then such higher duty shall be collected on the goods when imported into Western Australia from beyond the limits of the Commonwealth.

Financial assistance
to States.

96. DURING a period of ten years after the establishment of the Commonwealth, and thereafter until the Parliament otherwise provides, the Parliament may grant financial assistance to any State on such terms and conditions as the Parliament thinks fit.

97. UNTIL the Parliament otherwise provides, the laws in force in any Colony, which has become or becomes a State, with respect to the receipt of revenue and the expenditure of money on account of the Government of the Colony, and the review and audit of such receipt and expenditure, shall apply to the receipt of revenue and the expenditure of money on account of the Commonwealth in the State in the same manner as if the Commonwealth or the Government, or an officer of the Commonwealth, were mentioned, whenever the Colony, or the Government, or an officer of the Colony is mentioned.

A.D. 1900.
Audit. —

98. THE power of the Parliament to make laws with respect to trade and commerce extends to navigation and shipping, and to railways the property of any State.

Trade and commerce includes navigation and State railways.

99. THE Commonwealth shall not by any law or regulation of trade, commerce, or revenue, give preference to one State or any part thereof over another State or any part thereof.

Commonwealth not to give preference.

100. THE Commonwealth shall not, by any law or regulation of trade or commerce, abridge the right of a State or of the residents therein to the reasonable use of the waters of rivers for conservation or irrigation.

Nor abridge right to use water.

101. THERE shall be an Inter-State Commission, with such powers of adjudication and administration as the Parliament deems necessary for the execution and maintenance, within the Commonwealth, of the provisions of this Constitution relating to trade and commerce, and of all laws made thereunder.

Inter-State Commission.

102. THE Parliament may by any law with respect to trade or commerce forbid, as to railways, any preference or discrimination by any State, or by any authority constituted under a State, if such preference or discrimination is undue and unreasonable, or unjust to any State: due regard being had to the financial responsibilities incurred by any State in connection with the construction and maintenance of its railways; but no preference or discrimination shall, within the meaning of this section, be taken to be undue and unreasonable, or unjust to any State, unless so adjudged by the Inter-State Commission.

Parliament may forbid preferences by State.

103. THE members of the Inter-State Commission—

- I. Shall be appointed by the Governor General in Council:
- II. Shall hold office for seven years, but may be removed within that time by the Governor General in Council, on an address from both Houses of the Parliament in the same session praying for such removal on the ground of proved misbehaviour or incapacity:

Commissioners' appointment, tenure, and remuneration.

III.

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III. Shall receive such remuneration as the Parliament may fix ;
but such remuneration shall not be diminished during
their continuance in office.

Saving of certain
rates.

104. NOTHING in this Constitution shall render unlawful any rate for the carriage of goods upon a railway, the property of a State, if the rate is deemed by the Inter-State Commission to be necessary for the development of the territory of the State, and if the rate applies equally to goods within the State and to goods passing into the State from other States.

Taking over public
debts of States.

105. THE Parliament may take over from the States their public debts as existing at the establishment of the Commonwealth, or a proportion thereof according to the respective numbers of their people as shown by the latest statistics of the Commonwealth, and may convert, renew, or consolidate such debts, or any part thereof ; and the States shall indemnify the Commonwealth in respect of the debts taken over, and thereafter the interest payable in respect of the debts shall be deducted and retained from the portions of the surplus revenue of the Commonwealth payable to the several States, or if such surplus is insufficient, or if there is no surplus, then the deficiency or the whole amount shall be paid by the several States.

CHAPTER V.

THE STATES.

Saving of Constitu-
tions.

106. THE Constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State.

Saving of power of
State Parliaments.

107. EVERY power of the Parliament of a Colony which has become or becomes a State, shall, unless it is by this Constitution exclusively vested in the Parliament of the Commonwealth or withdrawn from the Parliament of the State, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be.

Saving of State
laws.

108. EVERY law in force in a Colony which has become or becomes a State, and relating to any matter within the powers of the Parliament of the Commonwealth, shall, subject to this Constitution, continue in force in the State ; and, until provision is made in that behalf by the Parliament of the Commonwealth, the Parliament of the State shall have such powers of alteration and of repeal in respect of any such law as the Parliament of the Colony had until the Colony became a State.

109. WHEN a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

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Inconsistency of laws.

110. THE provisions of this Constitution relating to the Governor of a State extend and apply to the Governor for the time being of the State, or other chief executive officer or administrator of the government of the State.

Provisions referring to Governor.

111. THE Parliament of a State may surrender any part of the State to the Commonwealth; and upon such surrender, and the acceptance thereof by the Commonwealth, such part of the State shall become subject to the exclusive jurisdiction of the Commonwealth.

States may surrender territory.

112. AFTER uniform duties of customs have been imposed, a State may levy on imports or exports, or on goods passing into or out of the State, such charges as may be necessary for executing the inspection laws of the State; but the net produce of all charges so levied shall be for the use of the Commonwealth; and any such inspection laws may be annulled by the Parliament of the Commonwealth.

States may levy charges for inspection laws.

113. ALL fermented, distilled, or other intoxicating liquids passing into any State or remaining therein for use, consumption, sale, or storage shall be subject to the laws of the State as if such liquids had been produced in the State.

Intoxicating liquids.

114. A STATE shall not, without the consent of the Parliament of the Commonwealth, raise or maintain any naval or military force, or impose any tax on property of any kind belonging to the Commonwealth; nor shall the Commonwealth impose any tax on property of any kind belonging to a State.

States may not raise forces.

Taxation of property of Commonwealth or State.

115. A STATE shall not coin money, nor make anything but gold and silver coin a legal tender in payment of debts.

States not to coin money.

116. THE Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.

Commonwealth not to legislate in respect of religion.

117. A SUBJECT of the Queen, resident in any State, shall not be subject in any other State to any disability or discrimination which would not be equally applicable to him if he were a subject of the Queen resident in such other State.

Rights of residents in States.

A.D. 1900.

Recognition of laws,
etc., of States.

118. FULL faith and credit shall be given, throughout the Commonwealth, to the laws, the public acts and records, and the judicial proceedings of every State.

Protection of States
from invasion and
violence.

119. THE Commonwealth shall protect every State against invasion and, on the application of the Executive Government of the State, against domestic violence.

Custody of offenders
against laws of the
Commonwealth.

120. EVERY State shall make provision for the detention in its prisons of persons accused or convicted of offences against the laws of the Commonwealth, and for the punishment of persons convicted of such offences, and the Parliament of the Commonwealth may make laws to give effect to this provision.

CHAPTER VI.

NEW STATES.

New States may be
admitted or
established.

121. THE Parliament may admit to the Commonwealth or establish new States, and may upon such admission or establishment make or impose such terms and conditions, including the extent of representation in either House of the Parliament, as it thinks fit.

Government of
territories.

122. THE Parliament may make laws for the government of any territory surrendered by any State to and accepted by the Commonwealth, or of any territory placed by the Queen under the authority of and accepted by the Commonwealth, or otherwise acquired by the Commonwealth, and may allow the representation of such territory in either House of the Parliament to the extent and on the terms which it thinks fit.

Alteration of limits
of States.

123. THE Parliament of the Commonwealth may, with the consent of the Parliament of a State and the approval of the majority of the electors of the State voting upon the question, increase, diminish, or otherwise alter the limits of the State, upon such terms and conditions as may be agreed on, and may, with the like consent, make provision respecting the effect and operation of any increase or diminution or alteration of territory in relation to any State affected.

Formation of new
States.

124. A NEW State may be formed by separation of territory from a State, but only with the consent of the Parliament thereof, and a new State may be formed by the union of two or more States or parts of States, but only with the consent of the Parliaments of the States affected.

CHAPTER

A.D. 1900.
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CHAPTER VII.

MISCELLANEOUS.

125. THE seat of Government of the Commonwealth shall be determined by the Parliament, and shall be within territory which shall have been granted to or acquired by the Commonwealth and shall be vested in and belong to the Commonwealth, and shall be in the State of New South Wales, and be distant not less than one hundred miles from Sydney.

Seat of Government.

Such territory shall contain an area of not less than one hundred square miles, and such portion thereof as shall consist of Crown lands shall be granted to the Commonwealth without any payment therefor.

The Parliament shall sit at Melbourne until it meet at the seat of Government.

126. THE Queen may authorise the Governor General to appoint any person or any persons jointly or severally to be his deputy or deputies within any part of the Commonwealth, and in that capacity to exercise during the pleasure of the Governor General such powers and functions of the Governor General as he thinks fit to assign to such deputy or deputies, subject to any limitations expressed or directions given by the Queen; but the appointment of such deputy or deputies shall not affect the exercise by the Governor General himself of any power or function.

Power to Her
Majesty to authorise
Governor General to
appoint deputies.

127. IN reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives shall not be counted.

Aborigines not to be
counted in reckoning
population.

CHAPTER VIII.

ALTERATION OF THE CONSTITUTION.

128. THIS Constitution shall not be altered except in the following manner:—

Mode of altering the
Constitution.

The proposed law for the alteration thereof must be passed by an absolute majority of each House of the Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be submitted in each State to the electors qualified to vote for the election of members of the House of Representatives.

But

A.D. 1900.
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But if either House passes any such proposed law by an absolute majority and the other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next session again passes the proposed law by an absolute majority with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it, or passes it with any amendment to which the first-mentioned House will not agree, the Governor General may submit the proposed law as last proposed by the first-mentioned House, and either with or without any amendments subsequently agreed to by both Houses to the electors in each State qualified to vote for the election of the House of Representatives.

When a proposed law is submitted to the electors, the vote shall be taken in such manner as the Parliament prescribes; but until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.

And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor General for the Queen's assent.

No alteration diminishing the proportionate representation of any State in either House of the Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law.

A.D. 1900.
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SCHEDULE.

OATH.

I, A.B., do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her heirs and successors, according to law. So HELP ME GOD.

AFFIRMATION.

I, A.B., do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her heirs and successors, according to law.

(NOTE.—*The name of the King or Queen of the United Kingdom of Great Britain and Ireland for the time being is to be substituted from time to time.*)

